

DIGEST OF ENACTMENTS

**1999
INDIANA GENERAL ASSEMBLY**



INDIANA LEGISLATIVE COUNCIL

**LEGISLATIVE SERVICES AGENCY
301 STATE HOUSE
INDIANAPOLIS, INDIANA 46204**

1999 DIGEST OF ENACTMENTS

A Summary of the Bills Passed by the

111th General Assembly

First Regular Session

(A Public Law Supplement will follow)

Prepared by the

Office of Bill Drafting and Research

Legislative Services Agency

John Rowings

Director, Office of Bill Drafting and Research

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PREFACE

This publication contains the digest of each of the 112 Senate Bills, the 162 House Bills, and 1 House Joint Resolution that have been sent to the Governor during the 1999 regular session of the Indiana General Assembly. It is **not** a compilation of new laws because the Governor may choose to veto a bill that is presented to him. A public law supplement that lists public law numbers, Governor's actions, and noteworthy corrections will be prepared in mid July, 1999, or shortly after the First Regular Technical Session adjourns (if one is held under IC 2-2.1-1-3). This publication and the supplement replace the Digest of Acts formerly published by this Agency.

Two lists appear at the front of the publication. The lists group the bills by **AUTHOR** and by **BILL NUMBER**. An Indiana Code citations affected list and a subject index appear at the end of the publication.

The OBDAR staff compiled this publication as quickly as possible after bills were agreed upon by both chambers. However, as of this date some of these enrolled acts had not been presented to the Governor. Please excuse any errors that this expedited schedule may have caused. This publication is accessible at the General Assembly home page at <http://www.state.in.us/legislative/index.html>. The public law supplement will also be available at this address. Please let us have your comments and suggestions.

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AUTHOR LIST

AUTHOR, BILL NUMBER, & SUMMARY

Adams T	HB 1477	Employee assistance professionals.
Adams T	HB 1248	School bus committee members.
Adams T	HB 1253	Arson and burglary involving religious structures.
Avery	HB 1191	Conveyance of military department property.
Avery	HB 1458	Vanderburgh County innkeeper's tax; Evansville state hospital.
Avery	HB 1744	Pre-planning fire inspections.
Avery	HB 1322	Evansville State Hospital property.
Ayres	HB 1618	Unpaid checks and warrants drawn on public funds.
Ayres	HB 1025	Local government fiscal matters.
Ayres	HB 1024	Municipal administrative matters.
Ayres	HB 1419	Penalty enhancements for offenses near schools.
Bailey	HB 1074	Jackson County innkeeper's tax.
Bailey	HB 1073	Tuition exemptions for relatives of certain veterans.
Bailey	HB 1920	Probationary driver's license.
Bailey	HB 1608	Annexation.
Bardon	HB 1576	Indiana youth development committee.
Bardon	HB 1971	State board of dental examiners.
Bauer	HB 1001	State budget.
Bauer	HB 1870	Escrow fund for tobacco company payments.
Becker	HB 1717	County motor vehicle excise surtax.
Bischoff	HB 1371	Conservancy district investments.
Bischoff	HB 1315	State board of accounts audit threshold.
Bodiker	HB 1261	Lost, destroyed, or stolen bank checks.
Bottorff	HB 1431	Local use of money market mutual funds.
Bottorff	HB 1223	Electric and telephone cooperatives.
Bottorff	HB 1985	Economic development.
Bottorff	HB 1628	IURC enforcement authority.
Bottorff	HB 1625	Wild turkey hunting.
Brown C	HB 2035	Various health matters.
Brown C	HB 2034	Coordination of insurance with state programs.
Brown C	HB 1524	Health facility receivership.
Brown C	HB 1611	Health facility monitor payments.
Budak	HB 1755	Occupational licensing.
Buell	HB 1208	Accountant exception to private detective license.
Buell	HB 1748	Tax overpayments in economic revitalization areas.
Cheney	HB 1138	School board ballots.
Cherry	HB 1606	Planning and zoning.
Cochran	HB 1869	Integrated public safety commission.
Cook	HB 1210	Child abuse and neglect.
Crawford	HB 1440	Small claims.
Crawford	HB 1774	Audits of Riley Hospital.
Crawford	HB 1725	Lead-based paint activities.
Crawford	HB 1197	Publication of IPS annual performance reports.
Crawford	HB 1313	Miscellaneous election matters.
Crosby	HB 1296	School bus flashing lights.
Crosby	HB 1396	Mental health.
Crosby	HB 1108	Mental health insurance parity.
Crosby	HB 1356	Office of women's health.

Crosby	HB 1308	Experimental medical treatment protocols.
Crosby	HB 1452	Health facility patient and employee immunization.
Day	HB 1126	Individual development accounts.
Day	HB 1410	Infant hearing loss testing.
Dickinson	HB 1747	Domestic violence, firearms, and delinquency.
Dickinson	HB 1446	Criminal history checks for school volunteers.
Dickinson	HB 1445	Child custody for care givers.
Dobis	HB 2021	Motor vehicle inspection stations.
Dobis	HB 2022	Excise tax on trucks and semitrailers.
Duncan	HB 1421	Aquaculture.
Duncan	HB 1427	Right-of-way for emergency vehicles.
Duncan	HB 1428	Computerized telephone emergency warnings.
Dvorak	HB 1592	Sex and violent offenders.
Dvorak	HB 1594	Court reporting services.
Dvorak	HB 1590	Child support enforcement.
Dvorak	HB 1495	Unused property market regulation.
Dvorak	HB 2085	Workforce development and worker's compensation.
Frenz	HB 1130	Tractor-mobile home rigs.
Fry	HB 2043	Various insurance matters.
Fry	HB 1432	Demutualization of insurance companies.
Fry	HB 2041	Political subdivision and state educational institution insurance programs.
Fry	HB 1235	Regulation of train whistles.
Goeglein	HB 1152	Warranties on disability assistance devices.
Gregg	HB 1144	Personal representative in intestate estate.
Grubb	HB 1434	Telecommunications customers; professional solicitors and fundraisers
Grubb	HB 1014	Continuing education for auctioneers.
Grubb	HB 1638	Agriculture.
Grubb	HB 1695	Use of ATM and debit cards by minors.
Grubb	HB 1573	Tax reciprocity with Illinois.
Grubb	HB 1184	Donations to anatomical gift organizations.
Hasler	HB 1653	Residential landlord and tenant law.
Hasler	HB 1652	Workforce investment system.
Hasler	HB 1106	Fees for weights and measures.
Hasler	HB 1104	Noncommercial beer and wine and retail tobacco.
Hasler	HB 1509	Various public contracting matters.
Kersey	HB 1164	Vigo County innkeepers' tax.
Kersey	HB 1163	Indiana institute on recycling.
Klinker	HB 1823	University police officers.
Klinker	HB 1983	Enterprise zones; annexation.
Klinker	HB 1544	Environmental liens in Tippecanoe County and Columbia City.
Klinker	HB 1547	Childhood hazards and delinquency prevention programs.
Klinker	HB 1821	Various higher education matters.
Klinker	HB 1826	Health professions bureau.
Klinker	HB 1673	Home health aide registry.
Klinker	HB 1672	Purdue and Indiana University trustees.
Klinker	HB 1980	Conforming amendments for college savings plan.
Kromkowski	HB 1077	Judges' pension issues.
Kromkowski	HB 1093	Public pension funds.
Kromkowski	HB 1341	Enterprise zones.
Kromkowski	HB 1079	Various election matters.

Kruzan	HB 1002	Public access counselor and complaint procedure.
Kruzan	HB 1299	Small and farm wineries.
Kruzan	HB 1284	Family law.
Kruzan	HB 1789	Motor carrier fuel tax and Pearl Harbor survivor and state educational institution trust license plates.
Kuzman	HB 1561	Air emissions reduction credit program.
Kuzman	HB 1865	Criminal history checks for handguns.
Kuzman	HB 2027	Mortgage loans and loan brokers.
Kuzman	HB 1909	Brownfield remediation and redevelopment.
Kuzman	HB 1367	Mechanic's liens.
Leuck	HB 1056	Property tax exemption for certain nonprofit organizations.
Leuck	HB 1469	Registration of intrastate motor carriers.
Lytle	HB 1757	Cemetery perpetual care funds.
Lytle	HB 1386	Conservation officers salaries.
Lytle	HB 1211	Inspection of nurseries by department of natural resources.
Lytle	HB 1521	Designation of water fees.
Lytle	HB 1212	Ginseng season.
Lytle	HB 1384	Indiana rural fire protection initiative.
Lytle	HB 1758	Prepaid funeral services.
Lytle	HB 1385	Madison State Hospital property.
Lytle	HB 1522	Cemetery preservation.
Mahern	HB 1564	Credit union matters.
Mahern	HB 1555	Redevelopment and TIF in excluded cities.
Mahern	HB 1325	Establishment of the number of deputy marshals.
Mahern	HB 1764	Solid waste funds.
Mahern	HB 1506	Airport fees and motor vehicle rentals.
Mangus	HB 1603	Water well drilling inspectors.
Mangus	HB 1604	Snowmobile registration fees.
Moses	HB 1663	Nurse aide registry.
Oxley	HB 1597	Various financial institutions matters.
Oxley	HB 1878	Wildlife violator compact.
Pelath	HB 1309	Health maintenance organization grievances.
Pelath	HB 1936	Access to wage and employment information.
Pelath	HB 1229	Extra heavy duty highway designation.
Porter	HB 1750	Education accountability.
Porter	HB 1582	Inmate correspondence.
Porter	HB 1698	Postsecondary proprietary education grants.
Porter	HB 1904	Blind School and Deaf School governance.
Porter	HB 1902	Transfer tuition.
Robertson	HB 1050	High school graduation.
Robertson	HB 1053	Alcoholic beverage permits for corporations.
Ruppel	HB 1169	Insurance for volunteer firefighters.
Smith M	HB 1155	Local government matters.
Smith V	HB 1300	Education information by ethnicity and gender.
Smith V	HB 1304	Safe deposit boxes of a deceased person.
Smith V	HB 1305	Inmates.
Steele	HB 1352	Proof of paternity for inheritance.
Stevenson	HB 1318	Lake County regional transportation authority.
Stilwell	HB 1568	Abandoned mine reclamation fund.
Sturtz	HB 1687	Public water systems and water supply systems.
Sturtz	HB 1919	Various environmental matters.
Summers	HB 1095	Children's special health care services.

Tincher	HB 1986	Pension benefits.
Tincher	HB 1448	Emergency management foundation.
Tincher	HB 1649	Central repository for controlled substances data.
Villalpando	HJR 13	Criminal appeals.
Villalpando	HB 1147	Wrongful death.
Villalpando	HB 1148	Commission on courts.
Villalpando	HB 1150	Public officer salaries.
Weinzapfel	HB 2051	Child labor restrictions.
Welch	HB 1735	Pharmacy law.
Welch	HB 1951	Dental anesthesia.
Whetstone	HB 1377	Legislative and alcoholic beverage matters.
Whetstone	HB 1782	Liens against grain assets.
Wolkins	HB 1578	Various environmental matters.
Yount	HB 1513	Change of city status.

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Adams K	SB 3	Professional licensure.
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Alexa	SB 165	Serious violent felons and firearms.
Alexa	SB 466	Kankakee River basin commission property transfer.
Alting	SB 450	Grave markers for veterans.
Borst	SB 295	Indiana standardbred advisory board.
Borst	SB 201	Emergency animal health and health rules.
Borst	SB 297	Income tax deductions for children.
Bray	SB 592	Disposition of seized property.
Bray	SB 28	Residency of court officers.
Breaux	SB 113	Post-organ transplant maintenance drugs.
Clark	SB 458	Issuance of insurance with auto rentals.
Clark	SB 559	Various insurance matters.
Clark	SB 307	Exemption for Holocaust survivor settlement awards.
Clark	SB 634	Storm water runoff and construction activity.
Craycraft	SB 19	Community revitalization enhancement districts.
Craycraft	SB 210	Merging for road construction zone.
Ford	SB 44	Victim rights.
Ford	SB 495	Foundry sand.
Gard	SB 551	Drinking water and wastewater loans.
Gard	SB 397	Environmental rulemaking.
Gard	SB 166	CEDIT revenue for library property tax replacement.
Gard	SB 514	Twenty-first century research and technology fund.
Gard	SB 154	Transportation of high level radioactive waste.
Gard	SB 429	Recycled materials purchasing preference.
Gard	SB 343	Water pollution control.
Jackman	SB 407	County animal disease control coordinator.
Jackman	SB 2	Custody modification.
Johnson	SB 619	School corporation technology fund.
Kenley	SB 539	Transportation corridors.
Kenley	SB 96	Criminal law and corrections.
Kenley	SB 94	Governmental immunity for Y2K computer errors.
Kenley	SB 465	Assessed value deduction for elderly.
Kenley	SB 40	Technical corrections.

Kenley	SB 38	Body piercing.
Lanane	SB 502	Wastewater management.
Landske	SB 507	Controlled substances.
Landske	SB 499	Publications sent to confined persons.
Landske	SB 63	National Pollutant Discharge Elimination System (NPDES) permit.
Landske	SB 274	Residency of candidates.
Landske	SB 198	Income tax deduction for elderly persons.
Landske	SB 272	Northwest Indiana Transportation.
Lawson C	SB 4	Secured transactions.
Lawson C	SB 447	Local government fiscal matters.
Lawson C	SB 109	Various elections matters.
Lawson C	SB 542	State real property.
Lewis	SB 584	Utility regulatory commission jurisdiction; home energy assistance
Long	SB 177	IURC enforcement authority and rural telephone cooperative corporations.
Long	SB 167	Terms and conditions of annexations.
Meeks C	SB 487	Inmate release.
Meeks C	SB 578	Appointments by sheriffs.
Meeks R	SB 98	Sampling alcoholic beverages.
Meeks R	SB 486	Various administrative matters.
Meeks R	SB 76	Septic system installation on plats.
Meeks R	SB 48	Nonresident hunting and fishing license fees.
Meeks R	SB 326	Motor vehicle franchises.
Meeks R	SB 138	Authority to claim doctorate degree or title.
Meeks R	SB 47	Community corrections programs/misdemeanants.
Meeks R	SB 323	Various motor vehicle matters.
Merritt	SB 204	Internet notice of state meetings and bid lists; public records.
Merritt	SB 203	Juvenile and restorative justice study commission.
Merritt	SB 1	Public access counselor and complaint procedure.
Merritt	SB 571	Limited liability companies.
Miller	SB 292	Manufacture of certain controlled substances.
Miller	SB 290	Hospital peer review.
Miller	SB 293	Hospice licensing and approval.
Miller	SB 289	Health insurance claims recoding.
Miller	SB 527	Extended lengths of stay in acute care hospitals.
Miller	SB 133	Medicaid physician services.
Miller	SB 263	Moratorium on methadone clinics.
Miller	SB 506	Acupuncture licensing.
Miller	SB 124	Exceptions to licensure requirements for certain employees.
Miller	SB 262	Out of hospital do not resuscitate orders.
Miller	SB 259	Reimbursement of certain health centers.
Miller	SB 125	Traumatic brain injury waiver.
Miller	SB 126	Coverage for breast and prostate cancer screening.
Miller	SB 130	Board of health facility administrators.
Nugent	SB 286	Telephone services.
Riegsecker	SB 606	Disability and rehabilitative services.
Riegsecker	SB 66	Underground storage tanks.
Riegsecker	SB 306	Leases by airport authorities and boards.
Server	SB 533	Licensure of professional geologists.
Server	SB 24	Capital improvements for schools.

Server	SB 545	Consumer loan origination fees.
Simpson	SB 247	Renter's deduction.
Simpson	SB 9	Uniform Prudent Investor Act.
Simpson	SB 10	Generic drug substitutions.
Simpson	SB 7	Income tax deduction for certain insurance premiums.
Simpson	SB 6	Hazardous waste grant program.
Simpson	SB 525	Operating while intoxicated.
Skillman	SB 206	Location of state government offices; license branches.
Skillman	SB 392	Solid waste landfill operations.
Skillman	SB 321	Public records copying fees and uses.
Weatherwax	SB 582	Grain buyers law.
Weatherwax	SB 626	Property tax levy appeal for transfer tuition.
Weatherwax	SB 234	Taxation of railroad car companies. Provides that the property taxes
Weatherwax	SB 235	Educational standards.
Wheeler	SB 32	Drainage law duties of county surveyors.
Wheeler	SB 83	Ground water quality and stormwater runoff from developed real property.
Wheeler	SB 85	County jail inmate medical costs.
Wheeler	SB 84	Insurance rates for returning drivers.
Wheeler	SB 625	Conservation district clean water program.
Wheeler	SB 335	Railroad trespass and vandalism.
Wheeler	SB 332	Cumulative township vehicle and building fund.
Wolf	SB 662	Land resources council.
Wyss	SB 150	Property tax deductions for disabled veterans.
Wyss	SB 26	Interpretive powers of state building commissioner.
Wyss	SB 217	Homestead credit and certain assessed value deductions.
Zakas	SB 81	Elkhart County innkeeper's tax.
Zakas	SB 358	Real estate agents; sale of certain property.
Zakas	SB 175	Town candidates.

BILL LIST

BILL NUMBER, AUTHOR, & SUMMARY

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HB 1001	Bauer	State budget.
HB 1002	Kruzan	Public access counselor and complaint procedure.
HB 1014	Grubb	Continuing education for auctioneers.
HB 1024	Ayres	Municipal administrative matters.
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HB 1056	Leuck	Property tax exemption for certain nonprofit organizations.
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HB 1352	Steele	Proof of paternity for inheritance.
HB 1356	Crosby	Office of women's health.
HB 1367	Kuzman	Mechanic's liens.
HB 1371	Bischoff	Conservancy district investments.
HB 1377	Whetstone	Legislative and alcoholic beverage matters.
HB 1384	Lytle	Indiana rural fire protection initiative.
HB 1385	Lytle	Madison State Hospital property.
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HB 1446	Dickinson	Criminal history checks for school volunteers.
HB 1448	Tincher	Emergency management foundation.
HB 1452	Crosby	Health facility patient and employee immunization.
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HB 1568	Stilwell	Abandoned mine reclamation fund.
HB 1573	Grubb	Tax reciprocity with Illinois.
HB 1576	Bardon	Indiana youth development committee.
HB 1578	Wolkins	Various environmental matters.

HB 1582	Porter	Inmate correspondence.
HB 1590	Dvorak	Child support enforcement.
HB 1592	Dvorak	Sex and violent offenders.
HB 1594	Dvorak	Court reporting services.
HB 1597	Oxley	Various financial institutions matters.
HB 1603	Mangus	Water well drilling inspectors.
HB 1604	Mangus	Snowmobile registration fees.
HB 1606	Cherry	Planning and zoning.
HB 1608	Bailey	Annexation.
HB 1611	Brown C	Health facility monitor payments.
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HB 1625	Bottorff	Wild turkey hunting.
HB 1628	Bottorff	IURC enforcement authority.
HB 1638	Grubb	Agriculture.
HB 1649	Tincher	Central repository for controlled substances data.
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HB 1653	Hasler	Residential landlord and tenant law.
HB 1663	Moses	Nurse aide registry.
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HB 1673	Klinker	Home health aide registry.
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HB 1725	Crawford	Lead-based paint activities.
HB 1735	Welch	Pharmacy law.
HB 1744	Avery	Pre-planning fire inspections.
HB 1747	Dickinson	Domestic violence, firearms, and delinquency.
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HB 1750	Porter	Education accountability.
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HB 1757	Lytle	Cemetery perpetual care funds.
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HB 1774	Crawford	Audits of Riley Hospital.
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HB 1936	Pelath	Access to wage and employment information.
HB 1951	Welch	Dental anesthesia.

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HB 1980	Klinker	Conforming amendments for college savings plan.
HB 1983	Klinker	Enterprise zones; annexation.
HB 1985	Bottorff	Economic development.
HB 1986	Tincher	Pension benefits.
HB 2021	Dobis	Motor vehicle inspection stations.
HB 2022	Dobis	Excise tax on trucks and semitrailers.
HB 2027	Kuzman	Mortgage loans and loan brokers.
HB 2034	Brown C	Coordination of insurance with state programs.
HB 2035	Brown C	Various health matters.
HB 2041	Fry	Political subdivision and state educational institution insurance programs.
HB 2043	Fry	Various insurance matters.
HB 2051	Weinzapfel	Child labor restrictions.
HB 2085	Dvorak	Workforce development and worker's compensation.

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SB 2	Jackman	Custody modification.
SB 3	Adams K	Professional licensure.
SB 4	Lawson C	Secured transactions.
SB 6	Simpson	Hazardous waste grant program.
SB 7	Simpson	Income tax deduction for certain insurance premiums.
SB 9	Simpson	Uniform Prudent Investor Act.
SB 10	Simpson	Generic drug substitutions.
SB 19	Craycraft	Community revitalization enhancement districts.
SB 24	Server	Capital improvements for schools.
SB 26	Wyss	Interpretive powers of state building commissioner.
SB 28	Bray	Residency of court officers.
SB 32	Wheeler	Drainage law duties of county surveyors.
SB 38	Kenley	Body piercing.
SB 40	Kenley	Technical corrections.
SB 44	Ford	Victim rights.
SB 47	Meeks R	Community corrections programs/misdemeanants.
SB 48	Meeks R	Nonresident hunting and fishing license fees.
SB 63	Landske	National Pollutant Discharge Elimination System (NPDES) permit.
SB 66	Riegsecker	Underground storage tanks.
SB 76	Meeks R	Septic system installation on plats.
SB 81	Zakas	Elkhart County innkeeper's tax.
SB 83	Wheeler	Ground water quality and stormwater runoff from developed real property.
SB 84	Wheeler	Insurance rates for returning drivers.
SB 85	Wheeler	County jail inmate medical costs.
SB 94	Kenley	Governmental immunity for Y2K computer errors.
SB 96	Kenley	Criminal law and corrections.
SB 98	Meeks R	Sampling alcoholic beverages.
SB 109	Lawson C	Various elections matters.
SB 113	Breaux	Post-organ transplant maintenance drugs.
SB 124	Miller	Exceptions to licensure requirements for certain employees.
SB 125	Miller	Traumatic brain injury waiver.

SB 126	Miller	Coverage for breast and prostate cancer screening.
SB 130	Miller	Board of health facility administrators.
SB 133	Miller	Medicaid physician services.
SB 138	Meeks R	Authority to claim doctorate degree or title.
SB 150	Wyss	Property tax deductions for disabled veterans.
SB 154	Gard	Transportation of high level radioactive waste.
SB 165	Alexa	Serious violent felons and firearms.
SB 166	Gard	CEDIT revenue for library property tax replacement.
SB 167	Long	Terms and conditions of annexations.
SB 175	Zakas	Town candidates.
SB 177	Long	IURC enforcement authority and rural telephone cooperative corporations.
SB 198	Landske	Income tax deduction for elderly persons.
SB 201	Borst	Emergency animal health and health rules.
SB 203	Merritt	Juvenile and restorative justice study commission.
SB 204	Merritt	Internet notice of state meetings and bid lists; public records.
SB 206	Skillman	Location of state government offices; license branches.
SB 210	Craycraft	Merging for road construction zone.
SB 217	Wyss	Homestead credit and certain assessed value deductions.
SB 234	Weatherwax	Taxation of railroad car companies.
SB 235	Weatherwax	Educational standards.
SB 247	Simpson	Renter's deduction.
SB 259	Miller	Reimbursement of certain health centers.
SB 262	Miller	Out of hospital do not resuscitate orders.
SB 263	Miller	Moratorium on methadone clinics.
SB 272	Landske	Northwest Indiana Transportation.
SB 274	Landske	Residency of candidates.
SB 286	Nugent	Telephone services.
SB 289	Miller	Health insurance claims recoding.
SB 290	Miller	Hospital peer review.
SB 292	Miller	Manufacture of certain controlled substances.
SB 293	Miller	Hospice licensing and approval.
SB 295	Borst	Indiana standardbred advisory board.
SB 297	Borst	Income tax deductions for children.
SB 306	Riegsecker	Leases by airport authorities and boards.
SB 307	Clark	Exemption for Holocaust survivor settlement awards.
SB 321	Skillman	Public records copying fees and uses.
SB 323	Meeks R	Various motor vehicle matters.
SB 326	Meeks R	Motor vehicle franchises.
SB 332	Wheeler	Cumulative township vehicle and building fund.
SB 335	Wheeler	Railroad trespass and vandalism.
SB 343	Gard	Water pollution control.
SB 357	Adams K	Interstate commerce exemption for inventory tax.
SB 358	Zakas	Real estate agents; sale of certain property.
SB 392	Skillman	Solid waste landfill operations.
SB 397	Gard	Environmental rulemaking.
SB 407	Jackman	County animal disease control coordinator.
SB 429	Gard	Recycled materials purchasing preference.
SB 447	Lawson C	Local government fiscal matters.
SB 450	Alting	Grave markers for veterans.
SB 458	Clark	Issuance of insurance with auto rentals.
SB 465	Kenley	Assessed value deduction for elderly.

SB 466	Alexa	Kankakee River basin commission property transfer.
SB 486	Meeks R	Various administrative matters.
SB 487	Meeks C	Inmate release.
SB 495	Ford	Foundry sand.
SB 499	Landske	Publications sent to confined persons.
SB 502	Lanane	Wastewater management.
SB 506	Miller	Acupuncture licensing.
SB 507	Landske	Controlled substances.
SB 514	Gard	Twenty-first century research and technology fund.
SB 525	Simpson	Operating while intoxicated.
SB 527	Miller	Extended lengths of stay in acute care hospitals.
SB 533	Server	Licensure of professional geologists.
SB 539	Kenley	Transportation corridors.
SB 542	Lawson C	State real property.
SB 545	Server	Consumer loan origination fees.
SB 551	Gard	Drinking water and wastewater loans.
SB 559	Clark	Various insurance matters.
SB 571	Merritt	Limited liability companies.
SB 578	Meeks C	Appointments by sheriffs.
SB 582	Weatherwax	Grain buyers law.
SB 584	Lewis	Utility regulatory commission jurisdiction; home energy assistance program.
SB 592	Bray	Disposition of seized property.
SB 600	Alexa	Courts and court officers.
SB 606	Riegsecker	Disability and rehabilitative services.
SB 619	Johnson	School corporation technology fund.
SB 625	Wheeler	Conservation district clean water program.
SB 626	Weatherwax	Property tax levy appeal for transfer tuition.
SB 634	Clark	Storm water runoff and construction activity.
SB 662	Wolf	Land resources council.

HJR 13

Author(s): Villalpando; Foley; Ayres; Mellinger

Sponsor(s): Bray; Alexa; Ford; Lanane

Citations Affected: Article 7, Section 4 of the Constitution of the State of Indiana.

Effective: This proposed amendment must be agreed to by a second general assembly and ratified by a majority of the state's voters voting on the question to be effective.

Criminal appeals. Amends the Constitution of the State of Indiana to remove the language requiring all appeals of cases involving a sentence of life imprisonment or a term greater than 50 years to be heard directly by the Indiana supreme court. (The effect of this change is that these appeals would be heard by the Indiana Court of Appeals.) (44)

HB 1001

Author(s): Bauer; Cochran

Sponsor(s): Mills; Simpson

Citations Affected: Numerous provisions throughout the Indiana Code; Noncode.

Effective: July 1, 1999.

State budget. Makes appropriations for state and local administration. Changes the state gaming account to a fund. Amends the law concerning swap agreements. Increases the amount of surplus gaming revenue that is transferred to the pension relief fund. Revises the primetime formula. Provides for school funding. Revises the vocational education formula. Delays the implementation of fiscal year budgeting for schools. Establishes the advisory committee for children with special health needs. Establishes the children's health policy board. Provides for the Children's Health Insurance Program (CHIP). Provides for school technology funding. Includes a

mental health facility in the definition of a facility for purposes of the state office building commission law. Makes the following changes concerning the Indiana development finance authority: (1) Allows the Indiana development finance authority to triple its contribution to a participating lender's loan loss reserve fund if the borrower is a child care facility currently licensed by the state. (2) Allows the Indiana development finance authority to issue bonds for the purpose of financing capital expenditures at licensed child care facilities in the state. (3) Allows the Indiana development finance authority to use appropriations to create a debt service reserve fund for the purpose of allowing the authority to issue pooled bonds for the construction or renovation of licensed child care facilities. Makes changes concerning temporary assistance to needy families. Establishes a community college program. Provides for safe schools programs. Provides for community transition programs administered by community corrections. Makes the following changes concerning taxation: (1) Eliminates the county welfare fund and county welfare administration fund property tax levies. (2) Provides a state paid credit against property taxes on the first \$12,500 of assessed value on all personal property. (3) Provides an adjusted gross income tax deduction for residential property taxes up to \$2,500. (4) Eliminates the add back for property taxes under the adjusted gross income tax. (5) Provides an earned income tax credit. (6) Repeals the earned income tax deduction. Adds provisions concerning TRF undistributed income. Creates the tobacco settlement fund. (58)

HB 1002

Author(s): Kruzan; Mangus; Mannweiler; Frenz; Linder; Sturtz; Pelath; Bodiker; Torr; Whetstone; Kruse; Saunders; Munson

Sponsor(s): Merritt; Alexa; Skillman; Blade

Citations Affected: IC 5-14.

Effective: July 1, 1999.

Public access counselor and complaint procedure. Creates the office of the public access counselor. Provides for the appointment of a public access counselor by the governor. Establishes an informal

inquiry and formal complaint procedure for the office of the public access counselor. Provides that the making of an informal inquiry or filing a formal complaint does not toll the running of any applicable statutes of limitation. Prohibits the public access counselor from issuing an advisory opinion concerning a matter that is in litigation. Requires a court to expedite the hearing of an action filed under the open door law (IC 5-14-1.5) or the public records law (IC 5-14-3). Requires, rather than permits, a court to award reasonable attorney's fees, court costs, and other reasonable expenses of litigation to a prevailing plaintiff. Provides, however, that a plaintiff is not eligible for attorney's fees, court costs, and other reasonable expenses if the plaintiff filed the civil action without first seeking and receiving an informal inquiry response or advisory opinion from the public access counselor unless the plaintiff can show (1) the filing of the civil action was necessary to prevent a violation of the open door law; or (2) the filing of the civil action was necessary because the denial of access to the public record would prevent the plaintiff from presenting that public record to a public agency preparing to act on a matter of relevance to the public record whose disclosure was denied. Requires, rather than permits, a court to award reasonable attorney's fees, court costs, and other reasonable expenses of litigation to a prevailing defendant if the court finds that the action is frivolous or vexatious. Provides that when a civil action is filed under the open records law, the public agency must notify each person who supplies any part of the public record whether the denial was in compliance with an informal inquiry request of advisory opinion of the public access counselor. Provides that a court in determining whether to declare a policy, decision, or final action of a public agency void as a result of a violation of the open door law, the court may consider whether the plaintiff acted in compliance with an informal inquiry response or advisory opinion issued by the public access counselor. Provides immunity to an employee or official of a public agency who discloses confidential information in reliance on an advisory opinion issued by the public access counselor. Requires the public access counselor to submit a report to the legislative services agency not later than June 30 of each year concerning the activities of the counselor for the previous year. (The introduced version of this bill was prepared by the interim study committee on state government issues.) (87)

HB 1014

Author(s): Grubb; McClain

Sponsor(s): Wheeler; Lewis

Citations Affected: IC 25-6.1.

Effective: July 1, 1999.

Continuing education for auctioneers. Removes provision prohibiting an individual from performing an act that requires an auctioneer license when the individual has been granted a waiver from the continuing education requirement for license renewal. (101)

HB 1024

Author(s): Ayres; Stevenson; Richardson

Sponsor(s): Skillman; Merritt; Rogers; Wolf

Citations Affected: IC 31-11; IC 36-4; IC 36-5; IC 36-8; IC 36-9.

Effective: Upon passage; July 1, 1999.

Municipal administrative matters. Requires that the appropriations for the salaries of attorneys and legal research assistants employed by a clerk or clerk-treasurer must be allocated to the clerk or clerk-treasurer for the payment of the salaries. Provides that a clerk-treasurer is an ex-officio member of the town legislative body for the purpose of tie-breaking. Eliminates an obsolete reference to a state agency public purchasing statute in municipal sewage law. (Current municipal sewage law refers to a public purchasing statute that was repealed for local governments by P.L.57-1981.) Requires the town executive to have the approval of the town council before discharging or removing a town employee. (94)

HB 1025

Author(s): Ayres; Stevenson; Hasler; Goeglein

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Sponsor(s): Skillman; Merritt; Wolf

Citations Affected: IC 5-11; IC 5-13-6-1; IC 36-4; IC 36-8.

Effective: July 1, 1999.

Local government fiscal matters. Provides for the filing of the original list of warrants or checks that are outstanding in a city or town for more than two years with a city or town fiscal body. (Current law provides for the filing with the local board of finance. However, a statute enacted during the 1997 session of the general assembly eliminated the city and town boards of finance.) Requires city and town public funds to be invested in depositories approved as depositories of state funds. Provides that the compensation of each appointive officer, deputy, police department, fire department, and other employee of a city must be fixed by the municipal legislative body before August 20. (Current law requires the compensation to be fixed before August 2.) Requires investments of the pension benefits for: (1) members of police departments in certain cities and towns; and (2) members of fire departments in certain cities and towns to be made under the statute regulating public funds deposit and investment powers. Adds the Vanderburgh County levee authority to the list of entities that may pay a claim without a claim voucher signed by the vendor. Provides that the mileage rate allowance for local officials attending a conference is determined by the fiscal body of the unit represented by the official. Eliminates the subsistence allowance for local officials attending a conference. Provides that a local official attending a conference receives a lodging rate in an amount equal to the single room rate. (Current law provides that a local official receives the same rate that a state employee receives for travel.) Provides that a majority of a safety board constitutes a quorum.

(94)

HB 1050

Author(s): Robertson; Porter; Kruse; Bosma

Sponsor(s): Lubbers; Rogers; Sipes; Server; Alting

Citations Affected: IC 20-10.1.

Effective: July 1, 1999.

High school graduation. Removes the ability of the Indiana state board of education to adopt rules to establish waiver procedures for the graduation examination requirement. Puts into statute the current rule that provides eligibility for graduation for certain students who do not receive a passing score on the graduation examination but meet all other specific requirements. Provides that the case conference committee determines eligibility for graduation of certain students with disabilities. Provides that each student in grade 10 must take a graduation examination. Requires the Indiana state board of education to adopt rules to establish when a student is considered to be in grade 10 for purposes of taking the graduation examination.

(71)

HB 1053

Author(s): Robertson; Welch; Steele; Ruppel

Sponsor(s): Alting; Lewis; Nugent; Young; R

Citations Affected: IC 7.1-3.

Effective: Upon passage.

Alcoholic beverage permits for corporations. Changes the stockholders' residency requirement for a corporation to obtain an alcoholic beverage wholesaler's, retailer's, or dealer's permit of any type. Provides that the alcoholic beverage commission may not issue a small winery permit to a person who has not been a continuous and bona fide resident of Indiana for at least one year. (2)

HB 1056

Author(s): Leuck; McClain; Kruse

Sponsor(s): Wolf; Alting; Weatherwax

Citations Affected: IC 6-1.1-10-16.5; noncode.

Effective: January 1, 1999 (retroactive); January 1, 2000.

Property tax exemption for certain nonprofit organizations. Provides a property tax exemption for real property located in Carroll County or White County that is owned by a nonprofit organization and is under or adjacent to a lake or reservoir created by a dam or control structure owned and operated by a public utility. Requires the organization to be engaged in efforts to protect the environment and the water quality of the lake or reservoir to qualify for the property tax exemption. Provides a property tax exemption for real property located in Carroll County or White County that is owned by a nonprofit organization and is used in the organization's efforts to protect the environment and the water quality of the lake or reservoir. (44)

HB 1073

Author(s): Bailey; Pond; Adams T; Buell

Sponsor(s): Wyss; Paul; Alting

Citations Affected: IC 20-12-19-1.

Effective: July 1, 1999.

Tuition exemptions for relatives of certain veterans. Specifies that the following persons are eligible to receive tuition exemptions as the relatives of veterans: (1) A person who is a pupil at the Soldiers' and Sailors' Children's Home if the person was admitted to the Soldiers' and Sailors' Children's Home because the person was related to a member of the armed forces of the United States. (2) A person whose mother or father served in the armed forces of the United States if the mother or father received the Purple Heart decoration or was wounded as a result of enemy action and received any discharge or separation from the armed forces other than a dishonorable discharge. (3) A person whose mother or father served before July 1, 1999, in the armed forces of the United States during any war or performed duty equally hazardous that was recognized by the award of a service or campaign medal of the United States if the mother or father suffered a service connected death or disability and received any discharge or separation from the armed

forces other than a dishonorable discharge. Provides that a person may not receive a tuition exemption unless the person: (1) is eligible to pay the resident tuition rate at the college or university the person will attend as determined by the college or university; and (2) possesses the requisite academic qualifications. Provides that the tuition exemption is for 124 semester credit hours. (Current law provides that the tuition exemption is for a four year period.) Makes it a Class A misdemeanor for a person to knowingly or intentionally submit a false or misleading application or other document to receive a tuition exemption. (The introduced version of this bill was prepared by the military and veterans affairs commission.) (69)

HB 1074

Author(s): Bailey; Steele

Sponsor(s): Skillman; Lewis

Citations Affected: IC 6-9.

Effective: July 1, 1999.

Jackson County innkeeper's tax. Sets forth the requirements of the uniform law in the Jackson County innkeeper's tax. Provides that the: (1) convention, visitor, and tourism promotion fund; (2) convention and visitor commission; (3) innkeeper's tax rate; and (4) tax collection procedures established under the uniform law before July 1, 1999, remain in effect. Allows Jackson County to spend 25% of the innkeeper's tax revenues for industrial and economic development. (58)

HB 1077

Author(s): Kromkowski; Buell; Ulmer

Sponsor(s): Harrison; Craycraft; Washington

Citations Affected: IC 33-4; IC 33-13.

Effective: July 1, 1999.

Judges' pension issues. Provides that a participant in the judges' 1977 benefit system or a participant in the

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judges' 1985 benefit system is eligible for normal retirement benefits if the participant is at least 55 years of age and the participant's age in years plus years of service is at least 85. Allows participants with at least eight years of service in the judges' retirement system to purchase service credit at full actuarial cost for prior service in public retirement fund covered positions other than full-time commissioner, magistrate, or referee. (96)

HB 1079

Author(s): Kromkowski; Richardson; Whetstone

Sponsor(s): Landske; Sipes

Citations Affected: IC 3; IC 20-4; IC 36-5; noncode.

Effective: July 1, 1995 (retroactive); January 1, 1997 (retroactive); July 1, 1997 (retroactive); January 1, 1998 (retroactive); January 1, 1999 (retroactive); upon passage.

Various election matters. Makes the following changes in election law: (1) Provides that statutes relating to ballot card stubs do not apply to an optical scan ballot card voting system. (2) Amends the definition of "active voter". (3) Specifies that a political party office is not an office under Article 15 of the Constitution of the State of Indiana. (4) Provides that pollbook holders are entitled to be in the polls from the time the polls open through the time the polls close. (5) Includes language from federal regulations relating to the federal disclaimer law in Indiana's election disclaimer statute. (6) Provides that elected precinct committeemen are always eligible to participate in a caucus to fill a candidate vacancy or an office vacancy. Provides that an appointed precinct committeeman is eligible to participate in a caucus to fill a vacancy if the individual was a committeeman 30 days before the vacancy occurred. Specifies when a precinct vice committeeman is eligible to participate in a caucus to fill a vacancy. (7) Provides that the county executive may establish a precinct that is located within a university campus without regard to the number of registered voters permitted by law if less than 40% of the active voters entitled to vote in the precinct voted

in the last primary election. (Current law allows the precinct to be established without regard to the number of voters if less than 40% voted in the last general election.) (8) Changes the procedures for breaking a tie vote in an election for the governing board of a school corporation in Tippecanoe County. (9) Permits certain towns to expand the size of the town legislative body. (10) Allows county election board or voter registration board members certain lodging allowances. (11) Contains various changes in the law regarding placement of candidates on the ballot. (12) Makes certain changes with respect to voter registration forms and procedures. (13) Makes various changes relating to absentee voting. (14) Makes other technical changes in election law. (75)

HB 1093

Author(s): Kromkowski; Klinker; Buell; Behning

Sponsor(s): Harrison; Craycraft; Washington

Citations Affected: IC 4-3; IC 5-10; IC 5-10.2; IC 5-10.3; IC 21-6.1; IC 33-13; IC 36-8.

Effective: June 1, 1998 (retroactive); July 1, 1999; July 1, 2000.

Public pension funds. Provides that for purposes of the legislators' retirement system law, "salary" includes amounts deferred under a deferred compensation plan. Provides that on any July 1 following the date a person begins participation in the defined contribution fund of the legislators' retirement system, any amount in the person's PERF or TRF annuity savings account may be transferred to the defined contribution fund. Requires the PERF board to establish alternative investment programs within the legislators' defined contribution fund. Requires the PERF board to maintain at least an indexed stock fund and a bond fund. Specifies that a participant may make a selection or change an existing selection at any time, but not more than one time in a 12 month period. Specifies other requirements concerning investment and valuation within the alternative investment program. Provides that when a participant in the defined contribution plan of the legislators' retirement system terminates service as a member of the general assembly, the

participant is entitled to withdraw the contribution account amounts in a series of monthly installment payments over 60, 120, or 180 months (current law also allows the withdrawn amount to be paid in a lump sum or in an annuity). Provides for a series of monthly installment payments over 60 months in the case of a participant who dies while serving in the general assembly or after terminating service but before withdrawing the participant's account from the defined contribution account. (Current law also provides payments to be made in a lump sum or an annuity.) Provides that an employee who: (1) has at least ten (10) years of creditable service with a state agency; (2) retires after June 30, 2000; and (3) has accrued any unused sick days, vacation days, or personal days on the employee's retirement date; is entitled to have certain amounts deposited by the state into a cafeteria plan under Section 125 of the Internal Revenue Code. Requires the state personnel department to adopt rules that it considers necessary to make periodic payments to a cafeteria plan on behalf of the eligible retired employees. Provides that the rules may include provisions setting forth: (1) the minimum or maximum total amount or annual amount that may be deposited by the state on behalf of retired employees; (2) the period of years of deposits; and (3) payment provisions. Provides that an amount deposited on behalf of a participating retired employee is based on the hourly rate the employee was paid on the employee's retirement date. Provides that: (1) an employee with at least 10 years of creditable service but less than 15 years of creditable service is entitled to an amount based on 20% of the employee's accrued days; (2) an employee with at least 15 years of creditable service but less than 20 years of creditable service is entitled to an amount based on 35% of the employee's accrued days; and (3) an employee with at least 20 years of creditable service is entitled to an amount based on not more than 50% of the employee's accrued days. Provides that the state, through the budget agency, may adopt a defined contribution plan for the purpose of matching all or a specified portion of state employees' contributions to the state employees' deferred compensation plan. Provides that the deferred compensation committee is the trustee of the plan. Provides that the plan shall be administered by the auditor of state. Specifies that the pension of the surviving spouse of a governor who dies after June 30, 1998, is equal to the greater of: (1) 50% of the annual retirement benefit that the governor to whom the surviving spouse was married was receiving or was entitled to receive on the date

of the governor's death; or (2) \$10,000. Specifies that the pension of the surviving spouse of a governor who died before July 1, 1999, is equal to the greater of: (1) the annual retirement benefit received by the surviving spouse during the year beginning July 1, 1998; or (2) \$10,000. Provides that the valuation of PERF and TRF members' annuity savings accounts that are invested in an alternative investment program must be done at least quarterly. (Current law requires the valuation to be done annually.) Provides that when a member participating in an alternative investment program transfers the amount credited to the member from one alternative investment program to another alternative investment program or to the guaranteed program, the amount credited to the member is valued at the market value of the member's investment, as of the day before the effective date of the member's selection. (Current law provides that it is valued as of the last day of the preceding quarter.) Provides that when a member participating in the guaranteed program transfers the amount credited to the member to an alternative investment program, the amount credited to the member in the guaranteed program is computed without regard to market value and is based on the balance of the member's account in the guaranteed program as of the last day of the quarter preceding the effective date of the transfer. Provides that annuity savings account contributions to the alternative investment programs: (1) shall be invested as of the last day of the quarter in which the contributions are received; and (2) begin to accumulate interest at the beginning of the quarter after the quarter in which the contributions are received. Provides that contributions to the alternative investment programs shall be invested as of the last day of the quarter in which the contributions are received. Specifies information that a PERF or TRF member must provide when filing an application for retirement benefits. Provides that the PERF board and the TRF board may suspend a person's fund membership and pay the person the annuity savings account if the member has not performed any service in a covered position during the past two years, is not vested, and has a total benefit value of less than \$200. Provides that the PERF or TRF boards may purchase securities issued by a custodian bank or trust company or a subsidiary, parent, or holding company of the custodian. Provides that PERF and TRF members are entitled to service credit for adoption leave of not more than one year. Allows PERF and TRF to pay an estimated retirement benefit to a member under certain

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circumstances. Provides that after a member's actual retirement benefit is calculated, the fund shall temporarily adjust the member's benefit to reconcile any underpayment or overpayment that resulted from the payment of estimated benefits. Allows a member of PERF or TRF to designate a new beneficiary under certain circumstances. Allows a member of PERF or TRF to elect to begin receiving the member's pension benefit but to leave the member's annuity savings account invested until a later date. Continues to use an earnings limit prepared under federal Social Security laws to determine how much a PERF or TRF member who is receiving benefits may earn in a fund-covered position before the member's benefits are suspended and the member is reinstated into active membership, but specifies the period within which the limit is applied. Provides for an automatic suspension of benefits if a member is reemployed within 90 days of retirement. Requires an employer to submit a PERF member's membership records to the PERF board not more than 30 days after the member is hired. Provides that if an employer does not provide the PERF board with employees' membership records or other reports or payments within 30 days after the records, reports, or payments are due, the PERF board may fine the employer \$100 for each day the records, reports, or payments are late. Allows the auditor of state to withhold this penalty from money payable by the state to the employer. Allows certain individuals to claim service credit in PERF if the individuals: (1) were erroneously enrolled in PERF before 1980; (2) made contributions to PERF; and (3) were subsequently denied all or part of the service credit for a position that would otherwise be covered by PERF. Allows PERF members to purchase service credit at actuarial cost for their prior service in positions covered by the 1925 fund, the 1937 fund, or the 1953 fund if they did not vest in any of those funds. Provides that TRF members may purchase service credit for private school teaching after one year of credited service in TRF. (Current law provides that the private school service credit may be purchased only after the TRF member has ten years of credited service in TRF.) Provides that a TRF member who purchases service credit for private school teaching may not claim the service credit until the member has at least ten years of credited service in TRF. (These changes would make the provisions concerning purchase of private school service credit consistent with provisions concerning the purchase of other forms of service credit.) Provides that private school teaching credit may be claimed for

teaching kindergarten through postsecondary school. Provides that if a member of the 1977 fund requests a hearing concerning a determination of impairment, the local police or firefighter pension board must hold the hearing within 90 days after the member's request and must make a determination within 30 days after the hearing. Allows members with at least eight years of service in the judges' retirement system to purchase service credit at full actuarial cost for prior service in an Indiana public employees' retirement fund. Provides that a police officer or marshal employed by a town that establishes a board of metropolitan police commissioners or a town that becomes a city may participate in the 1977 fund regardless of the person's age if the person meets certain physical standards. Provides that any prior service credit for such a person may be granted only in accordance with existing law concerning the granting of prior service credit. Provides that for purposes of the 1977 fund provisions concerning line of duty benefits paid to a survivor, the term "line of duty" also includes any action that a fund member, in the member's capacity as a police officer or firefighter, performs: (1) in the course of controlling or reducing crime or enforcing the criminal law; or (2) while on the scene of an emergency run or on the way to or from the scene. (73)

HB 1095

Author(s): Summers; Budak; Becker

Sponsor(s): Merritt; Breaux; Howard

Citations Affected: IC 16-18; IC 16-35.

Effective: July 1, 1999.

Children's special health care services. Requires the state department of health to extend all care, services, and materials to autistic children who are less than 21 years of age and who meet certain criteria as are provided to children with special health care needs. (97)

HB 1104

Author(s): Hasler; Budak; Kuzman; Alderman; Lytle; Crawford; Murphy; Brown

C; Bottorff; Goeglein; Kruzan; Crosby

Sponsor(s): Gard; Merritt; Lewis; Simpson

Citations Affected: IC 6-2.5; IC 7.1-1; IC 7.1-2; IC 7.1-3; IC 7.1-5; IC 7.1-6; IC 35-46; noncode.

Effective: May 13, 1999; May 14, 1999; July 1, 1999.

Noncommercial beer and wine and retail tobacco. Requires the department of revenue to compile a list of retailers that sell tobacco products. Requires the department of state revenue to provide to the alcoholic beverage commission and the division of mental health an annual list of retail merchants that sell tobacco products. Provides that the alcoholic beverage laws do not prohibit the manufacture of beer or wine that is not offered for sale and is used only for specific personal or noncommercial uses. Authorizes excise police and the alcoholic beverage commission to enforce tobacco laws. Provides that a brewer or winery may allow transportation to and consumption of this beer or wine on the licensed premises but may not allow sale of the product on the licensed premises. Allows a person to carry, convey, or consume this beer or wine on or about a licensed premises. Establishes the tobacco education and enforcement fund. Establishes specific penalties for violating certain tobacco laws. Requires that an underage tobacco buyer be issued a citation when a seller is issued a citation. Provides a penalty to a retail establishment for selling or distributing tobacco products to an underage person. Restricts outdoor tobacco product advertisements. Amends the locations where a tobacco vending machine may be placed. Provides that a retail establishment that has as its primary purpose the sale of tobacco or tobacco products may not allow a person who is less than 18 years of age to enter the retail establishment. (77)

HB 1106

Author(s): Hasler; Adams T; Mock; Ulmer

Sponsor(s): Server; Lutz L

Citations Affected: IC 16-19; IC 24-6.

Effective: July 1, 1999.

Fees for weights and measures. Deletes a provision prohibiting the state department of health from establishing by rule fees for tests relating to weights and measures. Provides that the state department of health may adopt rules to establish fees for services provided by the state metrology laboratory. Creates the weights and measures fund for the purpose of providing funds for training and equipment for weights and measures inspectors and the state metrology laboratory. Provides that a packaged decorative fruit basket or a delicatessen tray or platter containing meat or cheese may be sold or offered for sale by weight, by numerical count, or as an unweighed, uncounted unit for sale. (87)

HB 1108

Author(s): Crosby; Goeglein; Brown C; Becker; Welch; Pelath; Scholer; Fry; Cheney; Day; GiaQuinta

Sponsor(s): Johnson; Simpson; Miller; Blade; Washington

Citations Affected: IC 5-10; IC 12-17; IC 27-8; IC 27-13.

Effective: July 1, 1999; January 1, 2000.

Mental health insurance parity. Removes the September 29, 2001, expiration date of a provision stating that if a health coverage plan offers mental illness benefits, the coverage of services for mental illness must have similar treatment limitations or financial requirements as other medical conditions. Provides that mental illness benefits may be delivered under a managed care system. Provides an exemption from compliance with this provision if compliance would increase the annual premium or rates charged for the policy or health maintenance organization contract by more than four percent per year. (77)

HB 1126

Author(s): Day; Murphy; Kruse; Hasler

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Sponsor(s): Kenley; Washington; Clark; Skillman; Howard; Blade

Citations Affected: IC 4-4; IC 6-3.1.

Effective: Upon passage.

Individual development accounts. Defines a community development corporation, in part, as a private, nonprofit corporation whose principal purpose includes providing housing, social services, or community based economic development projects that primarily benefit low income individuals and communities. (Current law requires that the corporation provide housing, social services, and community based economic development projects that primarily benefit low income individuals and communities.) Defines a financial institution as a bank, savings association, credit union, or any other institution regulated under Indiana or federal law. (Current law provides that only those institutions regulated under Indiana law are financial institutions.) Decreases from \$1,000 to \$100 the minimum donation a corporation or an individual may make to an individual development account fund in order to qualify for a tax credit. Provides that up to 20% of the first \$100,000 deposited each year from private donations into a community development corporation's individual development account fund may be used by the community development corporation for purposes relating to the administration of individual development accounts. (88)

HB 1130

Author(s): Frenz; Pelath; Cook; Mock

Sponsor(s): Riegsecker; Craycraft; Zakas

Citations Affected: IC 9-20; IC 9-29.

Effective: July 1, 1999.

Tractor-mobile home rigs. Allows a manufacturer or the agent of a manufacturer of mobile homes to transport a tractor-mobile home rig from the manufacturing facility to a storage lot if the distance between the manufacturing facility and storage lot is less than 15 miles and the manufacturer or agent has

obtained an annual permit from the motor carrier service division of the department of state revenue. Provides that the fee for the annual permit is \$40 for each three mile increment that a tractor-mobile home rig is transported up to a maximum of 15 miles. Provides that the maximum annual fee may not exceed \$200. (71)

HB 1138

Author(s): Cheney; Becker

Sponsor(s): Lawson; Alexa; Antich; Landske; Rogers

Citations Affected: IC 3-11-2.

Effective: January 1, 2000.

School board ballots. Moves the ballot location of candidates for school board elections held at a general election to immediately follow the location of candidates for partisan offices. (75)

HB 1144

Author(s): Gregg; Frenz; Foley

Sponsor(s): Bray

Citations Affected: IC 29-1

Effective: July 1, 1999.

Personal representative in intestate estate. Provides that unless each competent adult heir of the decedent agrees to waive the limitation, a court may not appoint the decedent's spouse to be the administrator of the decedent's estate if: (1) an interested person petitions for the appointment of an administrator for the estate of a person dying intestate; and (2) a petition to dissolve the marriage of the decedent and the decedent's spouse is pending in an Indiana court or the court of another state at the time of the decedent's death. Specifies the requirements for the administration of an estate without court supervision and without the consent of the heirs or devisees. Provides that a court may not require the personal representative to file with the court a copy of the

inventory of the estate's assets prepared in the administration of the estate without court supervision. (92)

HB 1147

Author(s): Villalpando; Steele; Stevenson; Ulmer

Sponsor(s): Meeks R; Kenley; Antich; Alexa

Citations Affected: IC 34-6-2-2.5; IC 34-23-1-2; noncode.

Effective: January 1, 2000.

Wrongful death. Provides that if the death of an unmarried adult individual without dependents is caused by the wrongful act or omission of another person, only the personal representative of the adult individual may maintain an action against the person whose wrongful act or omission caused the death of the adult individual. Provides that the damages that may be recovered in an action include: (1) reasonable medical, hospital, funeral, and burial expenses; and (2) loss of the adult individual's love and companionship. Specifies, however, that damages recovered in the action may not include: (1) damages awarded for a person's grief; or (2) punitive damages.

Specifies that damages other than reasonable medical, hospital, funeral, and burial expenses inure to the exclusive benefit of a nondependent parent or nondependent child of the adult individual. Requires that before a parent or child may recover the above-described damages, the parent or child has the burden of proving that the parent or child had a genuine, substantial, and ongoing relationship with the adult person. Prohibits a court or jury from hearing evidence concerning the lost earnings of the adult person that occur as a result of the wrongful act or omission. Requires that whenever the court or jury awards damages to more than one person, the court or jury must specify the amount of damages that should be awarded to each person. Provides that in a wrongful death action involving an unmarried adult individual without dependents: (1) the trier of fact must make a separate finding with respect to damages involving the loss of the adult individual's love and companionship; and (2) the aggregate amount of damages that may be recovered for the

loss of the adult individual's love and companionship may not exceed \$300,000. Provides for an effective date of January 1, 2000 with respect to the above-described changes. (69)

HB 1148

Author(s): Villalpando; Richardson; Ayres

Sponsor(s): Bray; Alexa

Citations Affected: IC 33-1-15-8.

Effective: Upon passage.

Courts and court officers. Changes the expiration date for the commission on courts from June 30, 1999, to June 30, 2003. Increases the continuing annual appropriation to the Indiana conference for legal education opportunity from \$550,000 per state fiscal year to \$625,000 per state fiscal year. Adds: (1) three full-time magistrates in Allen County; (2) one full-time magistrate in Cass County (to be replaced by one elected judge in 2001); (3) one full-time magistrate in Clark County; (4) one judge and one magistrate in Elkhart County; (5) one full-time magistrate in Floyd County; (6) three full-time magistrates and three judges in Lake County; (7) one full-time magistrate in LaPorte County; (8) three full-time magistrates in St. Joseph County; (9) one full-time magistrate in Sullivan County; (10) one judge in Tippecanoe County; and (11) two full-time magistrates in Vanderburgh County. Converts the county court in Noble County to a superior court. Converts two county courts in Tippecanoe County to superior courts. Transfers the county court magistrate to the Tippecanoe superior court. Allows a magistrate serving the Allen superior court or St. Joseph superior court to issue final orders in cases on the small claims document and in proceedings related to the issuance of a protective order against abuse. Expands the jurisdiction of the magistrate of the Marion superior court who is currently empowered to preside over drug related proceedings to include jurisdiction over other criminal proceedings. Allows the governor to fill a vacancy on the Lake superior court, county division, without a recommendation by the Lake judicial nominating commission. Describes the powers of the presiding judge of the St. Joseph superior court. Changes the title of the judge from presiding judge to chief judge. Requires that a person

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elected as judge of the Avon town court to be an attorney in good standing. Exempts from the requirement the person elected as judge of the Avon town court in the 1999 general election. (51)

HB 1150

Author(s): Villalpando; Ayres; Dvorak; Mellinger

Sponsor(s): Bray; Alexa; Ford; Lanane

Citations Affected: Noncode.

Effective: July 1, 1999.

Public officer salaries. Establishes an eleven member public officers compensation study committee to consist of: (1) four members of the senate; (2) four members of the house of representatives; and (3) three members to be appointed by the governor. Provides that the study committee is established to study whether to recommend to the general assembly the creation of a permanent executive commission with authority that includes the setting of salaries of any public officers. Describes other responsibilities of the permanent executive commission, if established. Specifies that in considering whether to recommend the establishment of the permanent executive commission, the study committee shall consider the provisions contained in the introduced version of HB 1647 with respect to the implementation of the permanent commission. Requires the study committee to submit its final report of the results of its study to the legislative council before November 1, 1999. (51)

HB 1152

Author(s): Goeglein; Brown C; Crosby; Becker; GiaQuinta; Budak

Sponsor(s): Lawson C; Simpson; Long; Howard

Citations Affected: IC 24-5-20.

Effective: July 1, 1999.

Warranties on disability assistance devices. Provides that the manufacturer for an assistive device purchased by, or leased or transferred to a consumer in Indiana after June 30, 1999 warrants that for one year after the assistive device is first delivered to the consumer: (1) the assistive device will be free from a nonconformity when used as intended and, (2) that any nonconformity will be repaired (including parts and labor, without charge to the consumer. Provides that the statutory warranty is in addition to any other warranties provided by the manufacturer. Specifies the obligations of the manufacturer when a consumer returns a nonconforming assistive device. Provides that an assistive device returned due to nonconformity in Indiana or another state may not be sold in Indiana without full disclosures to the prospective buyer or lessee. (77)

HB 1155

Author(s): Smith M; Stevenson

Sponsor(s): Long; Alting

Citations Affected: IC 36-5; IC 36-7; noncode.

Effective: June 30, 1999; July 1, 1999.

Local government matters. Requires a town incorporating across county lines to obtain the approval of the county executive of each county that contains a part of the proposed incorporated town. Allows proceedings for incorporation of a town across county boundaries that commenced before July 1, 1999, to proceed with only the approval of the county executive of the county that contains all or a major part of the territory sought to be incorporated. Allows any combination of cities, towns, and counties to form a multiple jurisdiction infrastructure authority to promote cooperation to assist in developing the units participating in the authority. Eliminates the law authorizing two (2) or more counties to establish a multiple county authority to perform responsibilities similar to a multiple jurisdiction infrastructure authority. Requires that members of the authority must be elected officials. Eliminates the expiration date of provisions allowing the Marion County metropolitan development commission to sell or grant real property to certain nonprofit or neighborhood development corporations. Eliminates the expiration date of provisions allowing the Marion County metropolitan

development commission to acquire real property by the exercise of eminent domain when certain conditions exist. (92)

HB 1163

Author(s): Kersey; Scholer; Tincher; Crosby; Ayres; Duncan

Sponsor(s): Lawson C; Simpson

Citations Affected: IC 13-20; IC 36-9.

Effective: Upon passage; July 1, 1999.

Indiana institute on recycling. Extends the Indiana institute on recycling to June 30, 2001. (Under current law, the institute will terminate June 30, 1999.) Repeals a statute that requires counties, municipalities, and townships to report certain information to the Indiana institute on recycling about solid waste collection and disposal costs. (47)

HB 1164

Author(s): Kersey; Tincher; Whetstone

Sponsor(s): Bray; Blade

Citations Affected: IC 6-9.

Effective: July 1, 1999.

Vigo County innkeepers' tax. Provides that the Vigo County innkeepers' tax may be imposed at a rate of not more than 5%. (58)

HB 1169

Author(s): Ruppel; Klinker; Bischoff; Budak; Duncan; Oxley; Lytle; Cherry; Denbo; Sturtz; Adams T

Sponsor(s): Clark; Landske; Craycraft; Wolf

Citations Affected: IC 36-8.

Effective: January 1, 2000.

Insurance for volunteer firefighters. Redefines volunteer firefighter. Requires a unit to purchase an insurance policy to provide a weekly benefit for total disability of not less than \$250 for a maximum of 260 weeks. Provides that a unit's insurance policy must pay a volunteer firefighter not less than \$150,000 if the firefighter becomes totally and permanently disabled for a continuous period of not less than 260 weeks as a result of an injury from smoke inhalation that occurred in performance of the firefighter's duties. (The introduced version of this bill was prepared by the interim study committee on local government issues.) (87)

HB 1184

Author(s): Grubb; Becker; Welch; Young M; Robertson

Sponsor(s): Harrison; Breaux; Craycraft

Citations Affected: IC 9-18-2-16.

Effective: January 1, 2000.

Donations to anatomical gift organizations. Allows a person registering a motor vehicle to make a donation of \$1 or more to organizations that promote the procurement of organs as anatomical gifts. (Under current law, a person registering a motor vehicle may only make a donation of \$0.50.) (71)

HB 1191

Author(s): Avery; Weinzapfel; Hasler; Becker

Sponsor(s): Server; Lutz L

Citations Affected: Noncode.

Effective: July 1, 1999.

Conveyance of military department property. Authorizes and directs the state to convey to the city of Evansville, for public park purposes, a parcel of real estate owned by the state and under the control

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of the military department of the state of Indiana. Requires the city of Evansville to pay the state \$100,000. Requires the payment to be deposited into the state general fund. (75)

HB 1197

Author(s): Crawford

Sponsor(s): Lubbers; Breaux

Citations Affected: IC 20-1; IC 20-3.1.

Effective: Upon passage.

Publication of IPS annual performance reports. Removes the requirement in the law concerning improvement in student achievement in certain cities that Indianapolis public schools (IPS) must publish an annual performance report. (Current law requires IPS to also publish an annual performance report under a statute that is applicable to all school corporations.) Requires IPS to include certain information in the annual performance report that is not required of other school corporations. (2)

HB 1208

Author(s): Buell; Frenz; Weinzapfel

Sponsor(s): Weatherwax; Lewis

Citations Affected: IC 25-30.

Effective: July 1, 1999.

Accountant exception to private detective license. Exempts from the licensing requirements for private detectives a certified public accountant, to the extent that the person is engaged in an investigation incident to the practice of accountancy. (101)

HB 1210

Author(s): Cook; Ruppel; Budak; Foley

Sponsor(s): Bray; Alexa

Citations Affected: IC 20-5; IC 31-33; IC 31-34; IC 35-46.

Effective: July 1, 1999.

Child abuse and neglect. Increases the penalty for neglect of a dependent from a Class D felony to: (1) a Class C felony if it results in bodily injury; and (2) a Class C felony if the offense involves cruel or unusual confinement or abandonment of the dependent. Adds a conviction of a child's parent, guardian, or custodian for neglect of a dependent as a Class B felony to the list of convictions for offenses in which reasonable efforts to reunify a child with the child's parent, guardian, or custodian or to preserve the child's family are not required. Provides that commission of neglect of a dependent as a Class B felony may be grounds for a school not to employ an individual. Requires photographs, x-rays, and physical medical examination reports made with respect to a child who is the subject of a child in need of services investigation to be made available, upon request, to an appropriate law enforcement agency for use in a child abuse or neglect investigation or a proceeding relating to the subject matter of the report. Makes a conforming change. (76)

HB 1211

Author(s): Lytle; Bischoff; Dillon

Sponsor(s): Wheeler; Lewis

Citations Affected: IC 14-24.

Effective: July 1, 1999.

Inspection of nurseries by department of natural resources. Provides that the division of entomology and plant pathology of the department of natural resources is required to make an annual inspection of plant nurseries that import stock into and export stock from Indiana. (The introduced version of this bill was prepared by the natural resources study committee.) (2)

HB 1212**Author(s): Lytle****Sponsor(s): Wheeler; Lewis****Citations Affected: IC 14-31.****Effective: Upon passage.**

Ginseng season. Provides that the natural resources commission must adopt rules to establish the various seasons and times of the year for activities related to ginseng. (Under current law, the season is from August 15 through December 31 of each year.) (78)

HB 1223**Author(s): Bottorff; Linder****Sponsor(s): Wheeler; Lewis****Citations Affected: IC 8-1.****Effective: July 1, 1999.**

Electric and telephone cooperatives. Adds materials or equipment related to educational services to the definition of services for purposes of the statute governing rural electric membership corporations. Provides that an REMC's board of directors must be composed of members of the corporation or, if the member of the REMC is a not a natural person, that the member's officers, directors, partners, or sole proprietors may be directors of the rural electric membership corporation. Provides that rural telephone cooperative corporations must annually designate and elect those officers the corporation considers necessary. Provides that a rural telephone cooperative corporation's board of directors must be composed of members of the corporation or, if the member of the corporation is a not a natural person, that the member's officers, directors, partners, or sole proprietors may be directors of the rural telephone cooperative corporation. (44)

HB 1229**Author(s): Pelath; Mock****Sponsor(s): Alexa; Landske; Antich****Citations Affected: IC 9-20.****Effective: July 1, 1999.**

Extra heavy duty highway designation. Designates a section of highway in Michigan City as an extra heavy duty highway. Designates a section of state road 249 as an extra heavy duty highway. (94)

HB 1235**Author(s): Fry; Mock; Fesko; Ulmer****Sponsor(s): Zakas; Riegsecker****Citations Affected: IC 8-6.****Effective: Upon passage.**

Regulation of train whistles. Allows a city, town, or county to adopt an ordinance regulating the use of train whistles. Prohibits a city, town, or county from regulating by ordinance the sounding of a whistle or the ringing of a bell at a railroad crossing that does not have an automatic railroad activated warning signal. Requires, rather than allows, the department of transportation to grant permission to a city, town, or county if the department determines that the ordinance will not cause undue risk of harm to the public. (94)

HB 1248**Author(s): Adams T; Klinker****Sponsor(s): Craycraft; Weatherwax****Citations Affected: IC 20-9.1.****Effective: July 1, 1999.**

School bus committee members. Provides that the

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member of the state school bus committee selected by the School Transportation Association of Indiana is a voting member of the committee. (Under current law, the member is a nonvoting advisory member.) (71)

HB 1253

Author(s): Adams T; Frenz; Porter; Ayres; Saunders

Sponsor(s): Craycraft; Meeks R; Alting

Citations Affected: IC 35-43-1-1; IC 35-43-2-1.

Effective: July 1, 1999.

Arson and burglary involving religious structures. Makes it a crime of arson, a Class B felony, for a person to, by means of fire or explosive, knowingly or intentionally damage a structure used for religious worship without the consent of the owner of the structure. Makes it a crime of burglary, a Class B felony, for a person to break and enter a structure used for religious worship with intent to commit a felony in the structure. (69)

HB 1261

Author(s): Bodiker; Ruppel; Yount; Lawson

Sponsor(s): Server; Lanane

Citations Affected: IC 26-1-3.1-312.

Effective: July 1, 1999.

Lost, destroyed, or stolen bank checks. Adds an alternative procedure to the uniform commercial code for lost, destroyed, or stolen bank checks. Allows a person who claims the right to receive the amount of a bank check that was lost, destroyed, or stolen to file a description of the check and a declaration of loss with the obligated bank. Provides rules for the enforceability of a claim. Establishes the obligated bank's degree of liability to a claimant with respect to the lost, destroyed, or stolen check. (100)

HB 1284

Author(s): Kruzan; Munson; Weinzapfel; Bardon

Sponsor(s): Merritt; Alexa

Citations Affected: IC 31

Effective: July 1, 1999.

Family law. Requires a petitioner for adoption to indicate as part of the adoption petition whether the petitioner has been convicted of a felony or a misdemeanor relating to the health and safety of children. Requires a licensed child placing agency or county office of family and children to conduct a criminal history background check on each petitioner for adoption. Provides that if the petitioner for adoption is charged with a felony or a misdemeanor relating to the health and safety of children during the pendency of the adoption, the petitioner must notify the court. Provides that a conviction of a felony or a misdemeanor related to the health and safety of a child may be grounds for the court to deny the petition for adoption. Prohibits the court from granting an adoption if the petitioner for adoption has been convicted of certain specified felonies. Specifies that money appropriated to the program for adoption of hard to place children does not revert to the state general fund at the end of the state fiscal year. Prohibits payments of more than \$3,000 for certain adoption related expenses of a birth mother unless a greater amount is ordered by the court. Requires adoption related payments to be disclosed to the court supervising the adoption. Limits payments for certain living expenses of a birth mother to expenses that are incurred during the second or third trimester of a birth mother's pregnancy and six weeks after childbirth. Provides that a birth mother, or a woman who holds herself out to be a birth mother, who benefits from adoption related expenses incurred under certain false pretenses commits adoption deception, a Class A misdemeanor. Allows a court to order a person who commits adoption deception to make restitution to a prospective adoptive parent, attorney, or licensed child placing agency that incurs an expense as a result of the offense. Requires an attorney or licensed child placing agency to inform a birth mother of the penalties for committing adoption deception before the attorney or agency transfers a payment for

adoption related expenses in relation to the birth mother. Adds an attorney representing a birth mother to the list of persons allowed to serve actual notice of a potential adoption upon a putative father before the birth of a child. Provides that a putative father's implied consent to an adoption is also an implied consent to the termination of the parent-child relationship. Provides that a putative father whose consent to an adoption has been implied is not barred from establishing paternity under certain conditions. Provides that consent to the termination of the parent-child relationship is not required in certain circumstances. Provides for the following requirements in paternity actions in which an adoption is pending: (1) Requires the court to conduct an initial hearing not more than 30 days after the filing of the paternity petition or the birth of the child, whichever occurs later. (2) Requires the court to order blood or genetic testing at the initial hearing and requires the court to order the state department of health to pay for the testing under certain circumstances. (3) Requires the court to conduct a final hearing to determine paternity not later than 90 days after the initial hearing. (4) Requires the court to issue its ruling in the paternity action not more than 14 days after the final hearing. Provides that a licensed child placing agency or an attorney in an adoption shall submit to the court an affidavit setting forth the circumstances surrounding service of prebirth actual notice to a putative father, regardless of who served the notice. Requires a court to enter a default judgment against and terminate the parental rights of a parent who fails to appear at the termination hearing after being located and served with notice of the hearing. Provides that a petition to terminate the parent-child relationship must indicate whether certain factors apply that would require a party to file a motion to dismiss the termination petition. Removes the provision in the law that requires a party in a termination proceeding to file a motion to dismiss the petition to terminate the parent-child relationship if the child is being cared for by a custodian who is a parent, stepparent, grandparent, or by certain other responsible adults or relatives who are caring for the child as a guardian. Requires a person or entity who files a motion to dismiss a petition to terminate the parent-child relationship to send notice to certain persons. Repeals certain provisions governing unreasonable delay in paternity actions when an adoption is pending. Makes conforming amendments. (44)

HB 1296

Author(s): Crosby; Whetstone; Stilwell; Cook

Sponsor(s): Lawson C; Bray; Blade

Citations Affected: Noncode.

Effective: July 1, 1999.

School bus flashing lights. Requires the state school bus committee to review existing state and federal requirements for the display of flashing yellow and red signal lamps by a school bus coming to a stop to load or unload children to determine: (1) whether children's safety could be increased by requiring the earlier display of flashing red signal lamps; and (2) the feasibility of amending state laws and rules and requesting a change in federal regulations to require the earlier display of red signal lamps. Requires the state school bus committee to report its findings to the legislative council by November 1, 1999. (71)

HB 1299

Author(s): Kruzan; Foley; Welch; Steele

Sponsor(s): Simpson; Nugent; Alting; Bray

Citations Affected: IC 7.1-1; IC 7.1-3; IC 7.1-4.

Effective: July 1, 1999.

Small and farm wineries. Changes the name of small winery to farm winery in some sections of the Indiana Code. Provides that a farm winery may produce, bottle, and sell any wine. (Current law limits these activities to table wine only.) Changes the 100,000 gallon limitation on annual production of these wineries to 500,000 gallons. (2)

HB 1300

Author(s): Smith V; Klinker; Porter; Ayres

Sponsor(s): Adams; Rogers

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Citations Affected: IC 20-1.

Effective: July 1, 1999.

Education information by ethnicity and gender. Requires the department of education to compile statistics concerning the ethnicity and gender of students in Indiana schools on all information concerning students that the department of education receives from school corporations on enrollment, number of suspensions, and number of expulsions. (2)

HB 1304

Author(s): Smith V; Grubb; Brown T; Kruse; Summers

Sponsor(s): Paul

Citations Affected: IC 6-4.1; noncode.

Effective: July 1, 1999.

Safe deposit boxes of a deceased person. Provides that a county assessor or the department of state revenue is not required to examine the safe deposit box of an individual who dies after June 30, 1999. Provides that a person who has possession of or control over a safe deposit box belonging to an individual who dies after June 30, 1999, is not required to provide notice to the county assessor or the department of state revenue before the box is opened. Repeals provisions relating to the duties of the county assessor and the department of state revenue concerning safe deposit boxes. (92)

HB 1305

Author(s): Smith V; Alderman; Denbo

Sponsor(s): Meeks R; Rogers; Bowser

Citations Affected: IC 35-38; IC 35-44; IC 35-50.

Effective: July 1, 1999.

Inmates. Allows a court to consider a person's employment at a penal facility as an aggravating circumstance or as favoring consecutive terms of imprisonment if the person committed trafficking with an inmate. Allows a person confined by the department of correction to earn additional credit time for the completion of a vocational education program or substance abuse program approved by the department. Requires earned credit time to be subtracted from the offender's minimum release date. (Current law provides for earned credit time to be subtracted from the sentence imposed for the offense by the court.) Applies the crime of trafficking with an inmate to a violation that occurs in a juvenile facility. Eliminates the enhanced penalty for trafficking in a controlled substance or deadly weapon with an inmate. Repeals a provision that allows a trial court to reduce the sentence of an offender who completes a vocational education program, a substance abuse program, or another educational program other than one leading to a GED, a high school degree, an associate's degree, or a bachelor's degree. (51)

HB 1308

Author(s): Crosby; Brown C; Brown T; Herrell; Burton

Sponsor(s): Gard; Craycraft; Riegsecker

Citations Affected: IC 25-22.5.

Effective: July 1, 1999.

Experimental medical treatment protocols. Provides that if experimental or nonconventional treatment is to be provided at a hospital, the type of treatment that is to be provided must be approved by the governing board of the hospital or a committee authorized by the governing board to approve experimental or nonconventional treatments provided at the hospital. (97)

HB 1309

Author(s): Pelath; Crosby; Cheney; Welch; Becker; Goeglein; Budak; Hasler; Grubb; Burton; Ulmer; Bailey; Adams T; Porter;

Bardon

Sponsor(s): Gard; Simpson; Miller

Citations Affected: IC 27-13; IC 34-30; noncode.

Effective: July 1, 1999; July 1, 2000.

Health maintenance organization grievances. Requires a health maintenance organization to establish a grievance procedure for appeal to an independent review organization for the resolution of grievances related to: (1) an adverse utilization review determination; (2) an adverse medical necessity determination; or (3) a determination that a proposed service is experimental or investigational; made by a health maintenance organization, or an agent of a health maintenance organization, regarding a service proposed by the treating physician. Provides that an external review may be requested within 45 days of the health maintenance organization's resolution. Provides that the costs of the independent review are paid by the health maintenance organization except a maximum \$25 filing fee which the enrollee may be required to pay. Requires annual reporting to the department of insurance and notice of the external review process to the enrollee. Requires that the department of insurance certify a sufficient number of independent review organizations based on certain criteria. Provides that a determination by an independent review organization is binding on the health maintenance organization. Provides civil immunity for an independent review organization for good faith actions taken in connection with an external review. Provides that the work product and determination, or both, of an independent review organization are admissible in a judicial or administrative proceeding, but do not, without other supporting evidence, satisfy any party's burden of proof or persuasion. Requires a health maintenance organization or limited service health maintenance organization to notify an enrollee of the termination of a participating provider seen by the enrollee during the previous year. (97)

HB 1313

Author(s): Crawford; Young M; Mahern; Richardson; Burton

Sponsor(s): Clark; Breaux

Citations Affected: IC 3-5; IC 3-8; IC 3-10; IC 3-11; IC 3-13; IC 4-5; IC 4-7; IC 4-8.1; IC 33-2.1.

Effective: November 3, 1998 (retroactive); upon passage; January 1, 2000.

Miscellaneous election matters. Provides that a candidate may use only the candidate's legal name, initials of the candidate's legal name, a nickname, and certain other designations on the ballot. Defines a candidate's legal name for purposes of placement of the name on the ballot. Requires a candidate's voter registration record to use the same name that the candidate uses on the ballot. (Under current law, a candidate's name appears on the ballot as the candidate's name appears on the candidate's voter registration record.) Provides that a voter in the election district of a candidate that does not use the candidate's legal name on the ballot may file a challenge with the Indiana election commission or a county election board. Provides that if the commission or board finds that a candidate has not used the candidate's legal name on the ballot the candidate is considered to have withdrawn the candidate's candidacy. Makes technical changes in the statutes to conform to the ballot name rule. Clarifies when a primary must be conducted in a city or town when the only contested nomination is within a legislative body district with an election district that does not include the entire city or town. Sets a deadline for certain third party candidates nominated at conventions to withdraw their nominations. Prohibits a voter who changes residence from outside a municipality to a location within a municipality from returning to the precinct where the voter formerly resided to vote in a municipal election or special election held only within the municipality. Repeals current statutes that cross reference those provisions in the Indiana Constitution that, prior to their repeal, required the secretary of state, auditor of state, and treasurer of state to reside at the seat of government. (75)

HB 1315

Author(s): Bischoff; Ruppel; Oxley; Thompson

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Sponsor(s): Landske; Wolf

Citations Affected: IC 5-11.

Effective: July 1, 1999.

State board of accounts audit threshold. Provides that an examination of accounts and financial affairs by the state board of accounts of an entity organized as a nonprofit corporation that derives at least 50% but less than \$100,000 of its disbursements from public funds is limited to matters relevant to the use of public money received by the entity. (87)

HB 1318

Author(s): Stevenson; Dobis; Kuzman; Fesko; Lawson L

Sponsor(s): Landske; Rogers; Mrvan; Smith S; Antich

Citations Affected: IC 36-9; noncode.

Effective: Upon passage.

Lake County regional transportation authority. Specifies the entities that appoint members to the Lake County regional transportation authority. Requires the Lake County council to establish an citizens advisory council to assist the authority board. Provides for administration of the authority's board and the citizen's council. Makes initial appointments. (87)

HB 1322

Author(s): Avery; Hasler; Becker; Weinzapfel

Sponsor(s): Server; Lutz L

Citations Affected: Noncode.

Effective: July 1, 1999.

Evansville State Hospital property. Authorizes and directs the state to convey a certain parcel of real

estate under the control of Evansville State Hospital to the American Red Cross, Southwest Indiana Chapter if the organization wants to accept the property. Requires the real estate to be used for office space by a nonprofit organization. Requires construction of the office building to begin before July 1, 2004. (75)

HB 1325

Author(s): Mahern; Adams T; Cheney; Cherry

Sponsor(s): Harrison; Sipes

Citations Affected: IC 36-5.

Effective: July 1, 1999.

Establishment of the number of deputy marshals. Requires the town legislative body to establish the number of deputy marshals by ordinance. (87)

HB 1341

Author(s): Kromkowski; Buell; Bauer; Kruse

Sponsor(s): Zakas; Washington

Citations Affected: IC 4-4; noncode.

Effective: January 1, 1997 (retroactive); upon passage; July 1, 1999.

Enterprise zones. Increases the maximum permissible population of an enterprise zone from 8,000 to 10,500. Increases the maximum permissible area of an enterprise zone from three square miles to four square miles. Provides that the enterprise zone board may not approve the enlargement of an enterprise zone's geographic boundaries unless the area to be enlarged meets certain criteria of economic distress. Permits the enterprise zone board to review the success of an enterprise zone and to expand the boundaries of the zone after the zone's final phase-out period. (Current law permits such reviews only during specified phase-out periods.) Establishes additional criteria for eligibility for enterprise zone benefits and incentives which must

be met by a business relocating its operations from a non-zone location in Indiana in order to relocate to an enterprise zone. (44)

HB 1352

Author(s): Steele; Richardson; Dvorak; Kuzman

Sponsor(s): Clark; Bray

Citations Affected: IC 29-1.

Effective: July 1, 1999.

Proof of paternity for inheritance. Provides that for the purpose of inheritance on the paternal side, proof of paternity of the child must be established by law in a cause of action filed: (1) during the father's lifetime if the child was at least 20 years of age when the father died; (2) during the father's lifetime or within five months after the father's death if the child was less than less than 20 years of age when the father died; or (3) within 11 months after the father's death if the child was born after the father died. (92)

HB 1356

Author(s): Crosby; Becker; Kruzan; Welch; Summers; Dickinson; Budak; Duncan; Goeglein; Klinker; Lawson L; Leuck; Richardson; Pond; Scholer; Whetstone; Brown C; Cheney; Mellinger

Sponsor(s): Simpson; Gard; Breaux; Miller; Lawson C

Citations Affected: IC 16-18; IC 16-19-13.

Effective: July 1, 1999.

Office of women's health. Establishes the office of women's health within the state department of health. Describes the purposes of the office. Requires the state health commissioner to appoint a director of the office and any other necessary employees to staff the office. Requires the state health commissioner to

appoint an advisory committee on women's health to advise the director of the office regarding duties relating to the office. Prohibits the director or employees of the office from advocating, promoting, referring to, or otherwise advancing abortion or the use of abortifacients. (77)

HB 1367

Author(s): Kuzman; Whetstone

Sponsor(s): Kenley; Alexa; Long

Citations Affected: IC 32-8; noncode.

Effective: July 1, 1999.

Mechanic's liens. Provides that the following provisions are void in a construction contract (other than in a contract for construction, alteration, or repair of a one or two family dwelling unit, related improvements, or certain utility property): (1) An agreement that persons performing labor or furnishing materials or machinery for construction on real estate waive rights to hold a lien on real estate or to a claim against a payment bond. (2) A provision making the contract subject to the laws of another state or requiring that any litigation, arbitration, or other dispute resolution process on the contract occur in another state. (3) A provision that limits or conditions the right to file a lien to secure payment for improvements to real property on the obligor's receipt of payment from a third person. Expands the time in which a sworn statement of the person's intention to hold a mechanic's lien may be filed with a county recorder from 60 to 90 days (other than a lien for construction, alteration, or repair of a one or two family dwelling unit or related improvements). Gives a mortgage to a lender priority over all other liens (except liens for construction, alteration, or repair of a one or two family dwelling unit, related improvements, or certain utility property) recorded after the date the mortgage was recorded to the extent of funds actually owed to the lender for the specific project to which lien rights relate. (87)

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HB 1371

Author(s): Bischoff; Hoffman

Sponsor(s): Nugent; Lewis

Citations Affected: IC 5-13.

Effective: July 1, 1999.

Conservancy district investments. Allows the Lawrenceburg conservancy district to invest public funds in municipal securities and equity securities having a stated final maturity of any number of years or having no stated final maturity. Limits investments in municipal securities and equity securities to 25% of the total investment portfolio. Allows other investments of the Lawrenceburg conservancy district investments to have a maturity of not more than five years. (Current state law restricts public funds to investments that have a maturity of not more than two years.) (94)

HB 1377

Author(s): Whetstone; Dobis; Kuzman; Thompson

Sponsor(s): Lawson C; Mrvan

Citations Affected: IC 36-8.

Effective: July 1, 1999.

Legislative and alcoholic beverage matters. Provides that a legislator's statement of economic interests is not required to include a report of purchases made after December 31, 1998, by a lobbyist from the legislator's retail business made in the ordinary course of business at prices that are available to the general public. Defines salary for legislators as including defined contributions. Allows a legislator to transfer PERF or TRF contributions to the legislator defined contribution fund on any July 1 after becoming a participant in the defined contribution fund. Provides for alternative investment programs for the legislator defined contribution fund. Provides for administration of the alternative investment programs. Provides for a withdrawal option of monthly installment payments

over a period of years for the legislator defined contribution fund. Makes certain changes concerning permits and sales of alcoholic beverages by wholesalers. Eliminates the requirement of a \$500 surety bond for alcoholic beverage wholesalers, wine bottlers, and alcoholic beverage carriers. Provides that payments required under the alcoholic beverage laws may be made by a check drawn on a business bank account. Corrects a reference to the Indiana Administrative Code in order to cite the current rule on Sunday sales of alcoholic beverages by certain retailers. Allows the alcoholic beverage commission to transfer the beer wholesaler permit of a person to an immediate relative who has another beer wholesaler permit if the person holding the permit dies or is legally adjudicated as mentally incapacitated. Provides that the alcoholic beverage commission (ABC) may not issue a beer retailer's permit to a person who, within ten years before the date of application, has been convicted of certain federal or state crimes. Provides that the holder of an alcoholic beverages club permit may keep a guest book listing members and their nonmember guests, except on designated guest days. Provides that the city of Mishawaka may obtain a permit for the retail sale of alcoholic beverages at the city golf course. Provides that it is unlawful to use for any other purpose an employee's permit obtained for volunteer use that benefits a nonprofit organization. Changes from \$20 to \$5 the fee for an alcoholic beverage employee's permit when the permit holder uses the permit only to perform volunteer service that benefits a nonprofit organization. (94)

HB 1384

Author(s): Lytle; Bischoff; Leuck; Ruppel; Oxley; Duncan

Sponsor(s): Wheeler; Lewis; Hume L.

Citations Affected: IC 14-8; IC 14-23.

Effective: July 1, 1999.

Indiana rural fire protection initiative. Establishes the Indiana rural fire protection initiative (INRFPI) to provide assistance to rural fire departments and complement grant programs established by the United States government for assisting rural fire departments. Provides for administration of the

program by the department of natural resources. (2)

HB 1385

Author(s): Lytle

Sponsor(s): Wheeler; Lewis

Citations Affected: Noncode.

Effective: July 1, 1999.

Madison State Hospital property. Authorizes and directs the state to convey a certain parcel of real estate under the control of Madison State Hospital to the Jefferson County Historical Society for public charitable, educational, scientific, or general museum purposes. Provides conditions for the reversion of title to the state. Allows the city of Madison to lease for 30 years real estate from Madison State Hospital for purposes of a heritage trail. Provides for certain requirements in the lease. (77)

HB 1386

Author(s): Lytle; Bischoff; Ulmer; Espich; McClain; Goeglein

Sponsor(s): Wheeler; Lewis; Zakas; Alting; Landske

Citations Affected: IC 14-9.

Effective: July 1, 1999.

Conservation officers salaries. Requires that law enforcement officers of the law enforcement division of the department of natural resources receive the same salaries as police employees of the state police department based upon years of service and rank held. Specifies that this requirement does not affect any rights or liabilities accrued or proceedings begun on or before June 30, 1999. (78)

HB 1396

Author(s): Crosby; Budak; Hasler; Behning;

Goeglein

Sponsor(s): Miller; Simpson; Johnson; Breaux

Citations Affected: IC 27-8; P.L.147-1997; noncode.

Effective: Upon passage; July 1, 1999.

Mental health. Provides that for purposes of analyzing health care service claims, to recode means to change a code used on a claim for covered services to a different classification code. Requires the administrator or insurer to notify the provider and insured that the insurer or administrator has recoded the claim and to provide certain additional specified information. Adds a dependent child's incapability to self-sustain employment because of mental illness to the reasons that continue hospital and medical coverage to a child under certain insurance policies. Allows an individual who meets certain requirements to be granted a mental health counselor's license. (77)

HB 1410

Author(s): Day; Bosma

Sponsor(s): Lubbers; Simpson

Citations Affected: IC 5-10-8; IC 16-41-17; IC 27-8-24; noncode.

Effective: July 1, 1999.

Infant hearing loss testing. Adds hearing examinations to the tests required under the newborn screening program. Requires state employee health plans, insurance policies, and group contracts that provide maternity benefits to pay for the tests required under the newborn screening program. Establishes the newborn hearing screening and intervention advisory board to provide advice and recommendations on issues concerning hearing impairment. Sunsets the board on July 1, 2002. Provides that a hospital shall begin providing hearing examinations as soon as the hospital possesses the necessary equipment. (77)

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HB 1419

Author(s): Ayres; Dvorak; Sturtz; Ruppel; Becker; Smith V; Budak Lawson L; Pelath; Hoffman; Klinker; Thompson; Cheney

Sponsor(s): Meeks R; Bray; Server; Alexa

Citations Affected: IC 35-42.

Effective: July 1, 1999.

Penalty enhancements for offenses near schools. Increases the penalty for battery from a Class A misdemeanor to a Class D felony if the offense is committed against an employee of a school corporation who is engaged in the execution of the employee's official duty. (76)

HB 1421

Author(s): Duncan; Lytle

Sponsor(s): Nugent; Jackman; Lewis

Citations Affected: IC 4-4.

Effective: July 1, 1999.

Aquaculture. Amends the definition of livestock. Provides that a person engaged in the business of aquaculture is eligible for the same consideration for grant and loan programs as a person engaged in other forms of farming. (98)

HB 1427

Author(s): Duncan; Cook; Tincher; Cherry

Sponsor(s): Meeks R; Jackman; Nugent; Craycraft; Landske; Wyss

Citations Affected: IC 9-21.

Effective: Upon passage; July 1, 1999.

Right-of-way for emergency vehicles. Requires the operator of a vehicle approaching a stationary

emergency vehicle with flashing lights to change lanes or reduce the speed of the vehicle. Provides that a violation is a Class A infraction, and that an operator who fails to change lanes or reduce the speed of the operator's vehicle and who causes damage to the property of another, injury to another, or another's death is subject to the suspension of the operator's driving license. (87)

HB 1428

Author(s): Duncan; Bottorff; Yount; Mahern

Sponsor(s): Skillman; Jackman; Nugent; Craycraft; Hume

Citations Affected: IC 36-8.

Effective: July 1, 1999.

Computerized telephone emergency warnings. Allows a county or municipality to use the 911 funds in excess of the funds necessary to pay the expenses of the 911 telephone system for a computerized telephone warning system that warns residents of an emergency situation by placing a telephone call to service users. Provides that customer data provided to a county or municipality for the purpose of implementing or updating an enhanced emergency telephone system may only be used to identify the telephone location or service user and may not be used or disclosed for any other purpose. Provides that a person who uses or discloses customer data in violation of the law commits a Class A misdemeanor. Requires that in providing 911 database information to a county or municipality, a service supplier shall provide for each service user in the county or municipality: (1) the telephone number service address; (2) the class of the service; and (3) a designation of listed, nonlisted, or unpublished. Requires the service supplier to provide 911 database information to a county or municipality on a quarterly basis. Allows the service supplier to charge a reasonable fee to the political subdivision for the administrative costs of providing the 911 database information. (94)

HB 1431**Author(s): Bottorff; ; Buell; Stevenson****Sponsor(s): Merritt; Smith****Citations Affected: IC 5-13.****Effective: July 1, 1999.**

Local use of money market mutual funds. Allows a municipal corporation or a special taxing district to invest in money market mutual funds. Restricts the investment of public funds to an investment fund that has a portfolio limited to obligations of the federal government or fully collateralized repurchase agreements backed by the direct obligation of the federal government. Requires the mutual fund to have a rating of AAAM from Standard and Poor's Corporation or Aaa from Moody's Investors Service, Inc. Requires the fiscal officer to obtain the approval of the fiscal body before making investments in money market mutual funds. Requires that money market investments must be made through depositories designated as depositories for state deposits. Provides for certain investment restrictions. (94)

HB 1432**Author(s): Fry; Smith M; Denbo; Ripley****Sponsor(s): Clark; Lanane; Lewis****Citations Affected: IC 27-1; IC 27-15.****Effective: Upon passage.**

Demutualization of insurance companies. Replaces the current statutory mechanism under which a mutual insurance company may demutualize and become a stock insurance company. Specifies the contents of: (1) a plan of conversion that must be approved by the commissioner of insurance after a public hearing and a vote of members of the mutual insurance company; and (2) a simple plan of conversion that must be submitted to the commissioner and voted on by members of the mutual insurance company. Requires that the commissioner approve a simple plan of conversion.

Protects the confidentiality of financial information and trade secrets that may be submitted to the commissioner under certain circumstances. Establishes procedures to be followed for allocating and distributing consideration to eligible members. Permits the use of a closed block to preserve dividends for policyholders. Unless otherwise provided by the plan of conversion, establishes limits on the initial ownership and sale of the stock of the new company. (47)

HB 1434**Author(s): Grubb; Yount; Hasler****Sponsor(s): Long; Lanane; Kenley; Paul; Blade****Citations Affected: IC 8-1; IC 23-7.****Effective: July 1, 1999.**

Telecommunications customers; professional solicitors and fundraisers. Provides that a customer's telecommunications provider may not be changed unless the customer's change order has been confirmed in writing, through an electronic authorization, by a qualified and independent third party, or through another procedure approved by the Indiana utility regulatory commission. Provides that the statute does not apply to commercial mobile radio service. Specifies that a charitable organization that resells used clothing or household items is not subject to the registration and reporting requirements for professional fundraiser consultants and professional solicitors. Requires a professional solicitor to submit the following information to the consumer protection division of the office of the attorney general after a solicitation campaign has ended: (1) the total gross amount of money raised by the professional solicitor and the charitable organization; (2) the total amount of money paid to or retained by the professional solicitor; (3) the total amount of expenses paid by the charitable organization, excluding money paid to the professional solicitor; and (4) the total amount of money paid to or retained by the charitable organization, after expenses and money paid to the professional solicitor are deducted. Provides that the consumer protection division may deny or revoke the registration of a professional solicitor who fails to

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submit this information after the end of a campaign. Provides that at the beginning of each solicitation call, a professional fundraiser consultant or a professional solicitor must state: (1) the name of the company for which the call is being made; (2) the name of the professional fundraiser consultant or professional solicitor; (3) the phone number and address of the location from which the call is being made; and (4) the percentage of the charitable contribution that will be expended for charitable purposes, after administrative costs and the costs of making the solicitation have been satisfied. Provides that the attorney general may impose fines on professional fundraiser consultants and professional solicitors for the late filing of reports. (101)

HB 1440

Author(s): Crawford; Mahern; Young M

Sponsor(s): Clark; Howard

Citations Affected: IC 3-8; IC 33-5; IC 33-11.6.

Effective: July 1, 1999; January 1, 2001.

Small claims. Increases the jurisdictional limitation for claims on the small claims docket in the Allen superior courts from \$3,000 to \$6,000. Makes various changes to convert Marion small claims courts to township small claims courts. (51)

HB 1445

Author(s): Dickinson; Summers; Foley; Pond

Sponsor(s): Lawson C; Bray; Rogers; Blade; Young; R.

Citations Affected: IC 31-9; IC 31-14; IC 31-17.

Effective: July 1, 1999.

Child custody for care givers. Expands the factors that a court must consider in determining child custody whenever the court finds, by clear and convincing evidence, that the child has been cared

for by a de facto custodian. Defines a de facto custodian as a person who has been the primary care giver for, and financial support of, the child for a certain period. Provides, however, that the term de facto custodian does not include a person providing care for a child in a foster family home. Provides that whenever a court finds sufficient evidence that a person has been a de facto custodian of a child, the court shall: (1) make the de facto custodian a party to the proceeding; and (2) award custody of the child to the de facto custodian if the court determines that it is in the best interests of the child. Makes conforming changes. (76)

HB 1446

Author(s): Dickinson; Cheney; Dillon; Lawson L

Sponsor(s): Server; Breaux; Rogers

Citations Affected: IC 5-2; IC 35-38.

Effective: July 1, 1999.

Criminal history checks for school volunteers. Allows a school corporation or nonpublic school to request a limited criminal history for an adult who volunteers for a position in which the adult will have contact with, care of, or supervision over a student. Provides that a school corporation or nonpublic school may not be charged a fee for the limited criminal history. Makes a corresponding change to a related section. (71)

HB 1448

Author(s): Tincher; Kersey; Ruppel; Crosby

Sponsor(s): Wyss; Blade; Skillman; Nugent; Lawson; Jackman

Citations Affected: IC 9-18; IC 10-4-1-29; IC 10-9; noncode.

Effective: July 1, 1999.

Emergency management foundation. Establishes the

Indiana emergency management, fire and building services, and public safety training foundation. Establishes the following funds to be administered by the foundation: (1) The emergency management fund to fund projects of the emergency management agency. (2) The fire and building fund to fund projects of the fire and building services department. (3) The emergency medical services fund to pay for emergency medical services projects of the public safety institute. (4) The stewardship fund to pay for promotion of the sale of safety first license plates. Provides that the foundation may acquire personal property to be donated to a unit of local government, the state emergency management agency, the fire and building services department, or the public safety institute. Provides that the foundation may receive donations of real property to be sold on the open market, to the state, or to a unit of local government, the proceeds of which are to be donated to the emergency management fund, the fire and building fund, the emergency medical services fund, or the stewardship fund. Establishes the safety first license plate to be designed as a special group recognition license plate. Requires annual fees from the license plate to be deposited as follows: (1) 30% of the fees in the emergency management fund. (2) 30% of the fees in the fire and building fund. (3) 30% of the fees in the emergency medical services fund. (4) 10% of the fees in the stewardship fund. Requires the foundation to prepare an annual report before October 1 of each year concerning the foundation's activities for the prior year for the public and the general assembly. Provides that the foundation is exempt from taxes on real and personal property that the foundation acquires or disposes of or as a consequence of the foundation's transactions. Provides that if the foundation is terminated, money in the funds administered by the foundation shall revert to the emergency management contingency fund. Establishes the state disaster relief fund as a nonreverting fund to provide grants to assist counties, cities, and towns in paying for costs resulting from disasters. Provides that the state emergency management agency administers the grant program. Provides that, except in the case of multiple disasters, a county, city, or town is eligible for a grant only if the damage caused to its public facilities exceeds an amount equal to \$1 multiplied by the population of the county, city, or town. (87)

HB 1452

Author(s): Crosby; Goeglein; Brown C; Leuck; Budak; Lawson L Becker; Duncan

Sponsor(s): Lawson C; Simpson

Citations Affected: IC 16-18; IC 16-28.

Effective: July 1, 1999.

Health facility patient and employee immunization. Requires a health facility to provide immunizations to all patients against the influenza virus and pneumococcal disease if: (1) the patient has consented to the immunization; (2) the patient's physician has ordered the immunization; and (3) the vaccine is available. Establishes a procedure for obtaining consent. Provides certain exceptions. (98)

HB 1458

Author(s): Avery; Becker; Hasler; Weinzapfel

Sponsor(s): Server; Lutz L

Citations Affected: IC 6-9; noncode.

Effective: July 1, 1999; January 1, 2000.

Vanderburgh County innkeeper's tax; Evansville state hospital. Requires the Vanderburgh County treasurer to establish a convention center operating fund. Requires the treasurer to deposit in the fund the amount of innkeeper's tax that is generated by a 2% rate. Provides that money in the fund must be expended for the operating expenses of a convention center. Provides that the fund expires January 1, 2006. Provides that for the period beginning January 1, 2000, and ending December 31, 2005, the county treasurer shall deposit in the tourism capital improvement fund the amount of innkeeper's tax that is generated by a 1% rate. Provides that after December 31, 2005, the treasurer shall deposit in the tourism capital improvement fund the amount of innkeeper's tax that is generated by a 3% rate. Provides that a structure constructed or remodeled with innkeeper's tax money in the tourism capital improvement fund or the convention and visitor

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promotion fund must be open for use by members of the public. Establishes the Evansville state hospital advisory committee. (44)

HB 1469

Author(s): Leuck; Linder; Bottorff; Cherry

Sponsor(s): Lewis; Nugent; Jackman; Young

Citations Affected: IC 8-2.1.

Effective: July 1, 1999.

Registration of intrastate motor carriers. Specifies that the requirement that intrastate motor carriers that are not operating under authority issued by the United States Department of Transportation must register with the department of state revenue as an intrastate motor carrier does not apply to an intrastate motor carrier or a guest operator operating motor vehicle as a farm vehicle in connection with agricultural pursuits usual and normal to the user's farming operation or for personal purposes, but not operated either part time or incidentally in the conduct of a commercial enterprise. Authorizes the department of state revenue or the state police department to revoke and confiscate registrations, license plates, and cab cards of motor carriers that are subject to an operations out of service order issued by a federal agency. (92)

HB 1477

Author(s): Adams T; Munson; Torr; Yount

Sponsor(s): Craycraft; Johnson; Antich

Citations Affected: IC 25-40; IC 34-46.

Effective: July 1, 1999.

Employee assistance professionals. Provides for certification of employee assistance professionals. Defines an "employee assistance professional" as an individual who provides workplace based services designed to address employer and employee productivity issues and who assists employees and their dependents with identifying and finding the

means to resolve personal problems that affect the employee or the performance of the employee. Provides that all matters communicated by a client to an employee assistance professional in the employee assistance professional's official capacity are privileged information. (100)

HB 1495

Author(s): Dvorak; Kruse; Ulmer; Budak

Sponsor(s): Mills; Server

Citations Affected: IC 24-4.

Effective: July 1, 1999.

Unused property market regulation. Creates unused property market regulation. Defines "unused property market" as including "swap meets", "indoor swap meets", "flea markets", and other similar events. Prohibits the sale of baby food, infant formula, cosmetics, or personal care products, or any nonprescription drug or medical device at an unused property market except by a representative of a manufacturer with written authorization. Requires unused property merchants to maintain receipts. Provides penalties for violations. (94)

HB 1506

Author(s): Mahern; Behning

Sponsor(s): Landske; Lutz L

Citations Affected: IC 24-4-9

Effective: July 1, 1999.

Airport fees and motor vehicle rentals. Requires a motor vehicle rental company to separately disclose, charge, and remit to an airport any fee that is charged to the customer and is required to be fully remitted to an airport's management entity. Provides that such a fee is considered part of gross concession revenue reported to the airport's management authority. (44)

HB 1509**Author(s): Hasler; ; Scholer; Sturtz; Lutz J****Sponsor(s): Meeks R; Washington; Howard****Citations Affected: IC 4-13.5; IC 4-13.6; IC 36-1-12.5.****Effective: July 1, 1999.**

Various public contracting matters. Provides that a certificate of qualification for a contractor or a person performing professional services on a state public works project expires 27 months after the date of issuance. (Under current law, a certificate expires 15 months after issuance.) Requires a person that holds a certificate of qualification to notify the certification board of any material changes in information supplied in the application submitted to the board. Provides that a subcontractor on a state public works project must hold a certificate of qualification if the value of the subcontract is \$150,000 or more. (Under current law, the threshold for requiring a certificate of qualification is \$100,000.) Provides that energy cost savings contracts entered into by the state are administered by the Indiana department of administration rather than state agencies that occupy the facilities that benefit from the contracts. Requires persons who perform qualified energy cost savings contracts for political subdivisions entered into after June 30, 1999 to have a certificate of qualification given by the Indiana department of administration and to satisfy certain other criteria. Requires a subcontractor on a qualified energy cost savings contract entered into after June 30, 1999 with a political subdivision to have a certificate of qualification if the value of the subcontract is more than \$150,000. Repeals superseded energy efficiency contract statutes. (75)

HB 1513**Author(s): Yount; Stevenson****Sponsor(s): Kenley****Citations Affected: IC 36-4-1.****Effective: July 1, 1999.**

Change of city status. Provides that the powers, duties, function and office of an elected official of a city shall remain unchanged until the expiration of the term of the elected official, despite a change in city classification for any reason. Provides that if a third class city attains the population of second class city status, the third class city remains a third class city unless the city legislative body adopts second class city status by ordinance. (87)

HB 1521**Author(s): Lytle****Sponsor(s): Server; Lewis****Citations Affected: IC 14-25.****Effective: July 1, 1999.**

Designation of water fees. Permits the director of the department of natural resources to use the fees deposited in the land and water resource fund to pay for administering the regulatory programs that generate the fees. (78)

HB 1522**Author(s): Lytle; ; Bottorff; Duncan****Sponsor(s): Server; Meeks R; Wheeler; Lewis****Citations Affected: IC 14-21; IC 35-43.****Effective: July 1, 1999.**

Cemetery preservation. Provides various measures to preserve cemeteries. Requires a person who lawfully removes a grave memorial to file with the county recorder certain information pertaining to the grave memorial. Provides that a person may not buy or sell certain items that have been removed from a cemetery. Provides that a person who disturbs the earth for agricultural purposes is not exempt from committing cemetery mischief. Provides that cemetery mischief includes disturbing, defacing, or damaging certain cemetery items. Prohibits a person from recklessly, knowingly, or intentionally damaging personal property contained in a structure

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or located at a cemetery or a facility used for memorializing the dead. Provides that cemetery mischief is a Class A misdemeanor. Enhances the penalty for the offense to a Class D felony if the pecuniary loss is at least two thousand five hundred dollars (\$2,500). Eliminates certain penalties for violations of cemetery preservation laws. In certain circumstances, exempts cemetery owners and owner of grave memorials from the cemetery preservation law. Provides that county recorders are not obligated to acquire special equipment to record grave memorial information and provides standardized forms for filing this information. (100)

HB 1524

Author(s): Brown C

Sponsor(s): Miller; Simpson; Alexa

Citations Affected: IC 16-28.

Effective: July 1, 1999.

Health facility receivership. Specifies the qualifications, powers, and duties of a health facility receiver. Requires a receiver to execute a bond, with certain sureties approved by the court, before beginning duties as a receiver. Requires the health facility to pay the costs of the bond. Provides that the receiver and the surety on the receiver's bond are fully discharged for all matters related to the final report upon: (1) the court's approval of the receiver's final report that the conditions that presented a major threat to the patients in the health facility have been corrected or that the facility has been closed; and (2) the receiver's compliance with the court's order made on the final report. Addresses the costs of placing a receiver in a health facility. (98)

HB 1544

Author(s): Klinker; Sturtz; Scholer; Bosma

Sponsor(s): Alting; Gard; Wolf; Harrison

Citations Affected: IC 36-7-29-22.5

Effective: January 1, 1999 (retroactive).

Environmental liens in Tippecanoe County and Columbia City. Authorizes an environmental response financing board in Tippecanoe County or Columbia City to impose an environmental lien on a landfill or industrial site in existence on July 1, 1994, to recover payments made to the board to finance the cleanup of hazardous substances at the site. (44)

HB 1547

Author(s): Klinker; Crawford; Budak; Becker

Sponsor(s): Server; Craycraft; Lawson C; Breaux

Citations Affected: IC 16-18; IC 16-41-40; noncode.

Effective: July 1, 1999.

Childhood hazards and delinquency prevention programs. Expands the shaken baby syndrome education program to include other childhood hazards. Requires the department of health to implement a program focusing on awareness and prevention of childhood hazards. Authorizes Project IMPACT USA, Inc., a national nonprofit organization, to develop and implement affiliate Project IMPACT organizations in Evansville, Fort Wayne, Gary, Indianapolis, and South Bend. Provides that the five Project IMPACT affiliate organizations established in Indiana consist of a comprehensive family restoration program that may provide delinquency prevention services to problematic youth and their families, including individuals referred to the program by juvenile courts, local schools, and community organizations. Provides that the objectives of Project IMPACT are to: (1) reduce the number of arrests; (2) reduce the number of school suspensions; (3) reduce the number of youth referred to the juvenile courts; (4) increase a troubled youth's ability to cope with daily problems; (5) improve parent-child relationships; and (6) change conventional methods of youth incarceration by providing positive alternatives to various difficult situations for youth. Provides that Project IMPACT may also provide the following programs: (1) A juvenile diversion program. (2) A school dropout prevention program. (3) A job

training and placement program. (4) A parent education program. (5) Spirituality counseling. Provides that Project IMPACT may enter into a contract with the Indiana criminal justice institute. (77)

HB 1555**Author(s): Mahern; Buell; Young M****Sponsor(s): Miller; Clark****Citations Affected: IC 6-1.1-20-1.6; IC 36-7.****Effective: Upon passage.**

Redevelopment and TIF in excluded cities. Establishes a redevelopment district within each excluded city in Marion County. Permits the Marion County metropolitan development commission, serving as the redevelopment commission for the excluded city, to carry out redevelopment projects and to use various financing mechanisms, including tax increment financing, in such a redevelopment district. Requires certain approvals by the legislative body of the excluded city before the implementation of a redevelopment project or financing by the metropolitan development commission. Provides that tax increment finance revenues attributable to an allocation area in an excluded city must be used for projects within the excluded city. (44)

HB 1561**Author(s): Kuzman; Bosma****Sponsor(s): Gard; Simpson****Citations Affected: Noncode.****Effective: Upon passage.**

Air emissions reduction credit program. Requires the environmental quality service council to conduct a study to advise the department of environmental management concerning the feasibility of establishing an air emissions reduction credit program that provides economic incentives to achieve air quality goals and objectives in Indiana. Requires the environmental quality service council to

make a recommendation to the legislative council before January 1, 2000, that: (1) suggests legislation to require the air pollution control board to adopt rules to establish an air emissions reduction credit program before July 1, 2001; (2) advises the department of environmental management to adopt guidance or nonrule policy documents before July 1, 2001, to implement air emissions reduction credit trading or other economic incentives to meet air quality goals and objectives; or (3) recommends that the environmental quality service council or a workgroup established by the environmental quality service council should continue to study the feasibility of establishing an air emissions reduction credit program in Indiana. (69)

HB 1564**Author(s): Mahern; Yount; Porter; Burton****Sponsor(s): Server; Lewis****Citations Affected: IC 28-1; IC 28-6.1; IC 28-7.****Effective: July 1, 1999.**

Credit union matters. Allows a credit union to convert to a mutual savings bank. Eliminates the cap on locator fees for accounts without current address information. Eliminates the requirement that credit union real estate loan proceeds be used for development within one year of the date of the loan. Makes certain other changes related to credit unions. (94)

HB 1568**Author(s): Stilwell; ; Linder****Sponsor(s): Server; Hume; Bray****Citations Affected: IC 14-34.****Effective: July 1, 1999.**

Abandoned mine reclamation fund. Permits the use of the post-1977 abandoned mine reclamation fund to replace water supplies disrupted or affected by a

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surface coal mining and reclamation operation, including the disposal of certain coal combustion waste. (78)

HB 1573

Author(s): Grubb; Fesko; Gregg; Dobis; Villalpando; Kuzman; Kersey

Sponsor(s): Harrison; Blade; Landske; Mrvan

Citations Affected: IC 6-3.

Effective: July 1, 1999.

Tax reciprocity with Illinois. Permits the department of state revenue, with the approval of the governor and budget agency, after the review of the state budget committee, to enter into an agreement with the state of Illinois concerning income tax collections from nonresidents. Sets a maximum payment that Indiana may make. (58)

HB 1576

Author(s): Bardon; Kruzan; Bosma

Sponsor(s): Lubbers; Rogers; Zakas

Citations Affected: IC 12-7-2; IC 12-17.2-3.1; IC 12-17.4-4; noncode.

Effective: July 1, 1999.

Indiana youth development committee. Establishes the Indiana youth development charter committee of the state human resources investment council to collect data and provide recommendations regarding the availability of youth development services. Requires the committee to submit interim reports to the state human resources investment council, the governor and legislative council before November 1, 1999, and November 1, 2000, and a final report before November 1, 2001. Defines a therapeutic foster family home and a special needs foster family home. Establishes requirements for operating a therapeutic foster family home or special needs foster

family home, including limits on the number of children cared for and additional training for foster parents. Provides that the division of family and children may grant an exception to the maximum number of children who may be cared for in a special needs foster home in certain situations. Requires the division of family and children to consider the specific needs of each special needs foster child whenever the division of family and children determines the appropriate number of children to place in the special needs foster home. Prohibits the division of family and children from removing a special needs foster child or a therapeutic foster child from a foster family home in which the child is placed before July 1, 1999, due to the home's failure to meet the new licensing requirements unless the division determines that remaining in the home is not in the child's best interest. Reestablishes the board for the coordination of child care regulation, which expired November 1, 1997, for a period beginning July 1, 1999, and ending July 1, 2001. Requires the board for the coordination of child care regulation to study laws governing the regulation of child care and to make recommendations to the general assembly concerning changes in the law that the board for the coordination of child care regulation finds appropriate. (98)

HB 1578

Author(s): Wolkins; Sturtz

Sponsor(s): Gard

Citations Affected: IC 5-13-9; IC 13-11-2; IC 13-23; noncode.

Effective: January 1, 1999 (retroactive); upon passage; July 1, 1999.

Various environmental matters. Allows the town of Danville to invest money in a host agreement future fund in municipal securities and equity securities for a maximum investment term of five years. Excludes a person who fills or gauges the product level of an underground storage tank from the definition of operator for purposes of underground storage tank corrective actions if the person does not own or lease the facility or business at which the tank is located and does not participate in the management of the

facility or business. Reduces the annual registration fee for an underground petroleum storage tank from \$290 to \$90. Reduces the amount of the underground petroleum storage tank fee that is deposited in the excess liability trust fund from \$245 to \$45. Provides that a person who is not an owner or operator of an underground storage tank is liable for certain corrective actions to address a surface spill or overfill of a regulated substance intentionally caused by the person during delivery of the regulated substance. Requires the department of environmental management and the environmental quality service council to conduct a study to evaluate different approaches for determining the allocation of the costs of all department wide services and to make recommendations to the legislative council and the budget agency. Requires the environmental quality service council to study the hazardous waste manifest program and make legislative recommendations, if appropriate. (69)

HB 1582**Author(s): Porter****Sponsor(s): Howard; Meeks R; Kenley****Citations Affected: IC 11-11-3-4.****Effective: July 1, 1999.**

Inmate correspondence. Allows the department of correction to read, censor, copy, or otherwise interfere with correspondence sent to or from an inmate if: (1) the inmate has been convicted of a crime that involved the use of correspondence to engage in an illegal activity or the inmate has been found guilty after a hearing conducted by the department of using correspondence to commit misconduct; or (2) the department receives a written request from supervising authority of a federal or state law enforcement agency stating that the agency has reasonable grounds to believe that a crime is being committed or has been committed by the inmate and the department should monitor the inmate's correspondence. Specifies that the department does not have to notify the inmate that it is monitoring the inmate's correspondence if the monitoring is done at the written request of a federal or state law enforcement agency. Requires the department of correction to establish policies to

ensure that the contents of any monitored correspondence shall be shared only with necessary department staff. Provides, however, that if the department believes that any correspondence contains evidence of criminal activity, the correspondence, or a copy, may be shared with appropriate federal or state law enforcement officials. (69)

HB 1590**Author(s): Dvorak; Mahern****Sponsor(s): Simpson; Bray****Citations Affected: IC 12-7-2-144.9; C 12-17; IC 22-3; IC 31-11-4-4; IC 31-14; IC 31-16-9-3; IC 31-18.****Effective: July 1, 1999; October 1, 1999.**

Child support enforcement. Makes income withholding orders applicable to all categories of worker's compensation payments. Applies the chain of custody requirements in paternity testing to genetic testing. Specifies that the state's parent locator service applies to a parent who owes child support in addition to a parent who has abandoned or deserted a child. Allows for the attachment of an insurance claim or settlement if the purpose is to fulfill a child support obligation. Requires incentive funds to be used for Title IV-D program activities. Makes changes to bring Indiana into compliance with the Uniform Interstate Family Support Act. Makes income withholding orders applicable to all categories of worker's compensation payments. Applies the chain of custody requirements in paternity testing to genetic testing. Specifies that the state's parent locator service applies to a parent who owes child support in addition to a parent who has abandoned or deserted a child. Allows for the attachment of an insurance claim or settlement if the purpose is to fulfill a child support obligation. Requires incentive funds to be used for Title IV-D program activities. Makes changes to bring Indiana into compliance with the Uniform Interstate Family Support Act. Requires the child support bureau of the division of family and children to establish a program to allow a prosecuting attorney to contract with a private organization to provide child support

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enforcement services. Provides that the child support bureau is not liable for any costs related to a contract between a prosecuting attorney and a private organization for child support enforcement services that are disallowed for reimbursement by the federal government. Requires the child support bureau to treat costs incurred by a prosecuting attorney in contracting with a private organization for child support enforcement services as administrative costs of the prosecuting attorney. Requires the record of marriage form to contain the Social Security numbers of each marriage applicant, unless the applicant objects. Requires the record of marriage form to specify that a marriage applicant is not required by law to reveal the applicant's Social Security number for the marriage application. Requires that before a child support order may be issued or modified, the child's Social Security number must be provided. Requires that the Social Security numbers that are obtained in the above-described manner shall be kept confidential and used only to carry out the purposes of the Title IV-D program. Provides that the unauthorized disclosure of a marriage applicant's Social Security number is a Class A infraction. Specifies that the child support bureau shall contract with a prosecuting attorney, or a private attorney if a contract cannot be entered into with the prosecuting attorney under certain circumstances, for the modification of child support orders. (76)

HB 1592

Author(s): Dvorak; Ruppel; Kruse; Lawson L; Bardon; Crosby; Atterholt; Tincher

Sponsor(s): Zakas; Bray; Alexa

Citations Affected: IC 5-2-12-11; IC 11-13-3-4; IC 35-38-2-2.2; IC 35-50-2-14.

Effective: July 1, 1999.

Sex and violent offenders. Requires information in the sex and violent offender registry to be placed on the Internet. Specifies that copies of the sex and violent offender registry: (1) provided to certain child care facilities or certain other entities that provide services to children; or (2) published on the Internet may not include the home address of an offender whose name appears on the registry. Allows

a court to sentence a person convicted of a sexual offense to an additional fixed term that is the presumptive sentence for the underlying offense if the state proves beyond a reasonable doubt that the person has accumulated at least two unrelated convictions for sexual offenses. Requires the court to conduct the sentencing hearing. Provides that "sexual offense" refers to rape, criminal deviate conduct, child molesting, child exploitation, vicarious sexual gratification, child solicitation, child seduction, sexual misconduct with a minor, sexual battery, or incest. Requires certain sex and violent offenders who are on parole to register with local law enforcement authorities. Provides that as a condition of probation or parole, certain sex and violent offenders are prohibited from residing within 1,000 feet of school property unless the offender obtains approval from the court, in the case of probation, or the parole board, in case of parole. Requires a court or parole board that allows an offender to live within 1,000 feet of school property to notify each school within 1,000 feet of the offender's residence. (69)

HB 1594

Author(s): Dvorak; Robertson; Ulmer; Foley

Sponsor(s): Bray; Alexa; Long

Citations Affected: IC 33-15-27.

Effective: January 1, 2000.

Court reporting services. Imposes restrictions on who may take a deposition for use in a proceeding in an Indiana court. Requires a person, when reducing a deposition to writing, to transcribe a page unit of the deposition in the same form as the form required for a record of proceedings under Indiana Rule of Appellate Procedure 7.2. (51)

HB 1597

Author(s): Oxley; Burton; Bodiker; Whetstone

Sponsor(s): Paul

Citations Affected: IC 28-1; IC 28-2; IC 28-5; IC 28-6; IC 28-10; IC 28-11; IC 28-13; IC 28-

14; IC 28-15; noncode.**Effective: July 1, 1999.**

Various financial institutions matters. Eliminates regulation on charges for dormant accounts. Eliminates provisions of state law preempted by federal law. Provides regulations for financial institution subsidiaries. Provides for registration of names assumed by a financial institution. Specifies department of financial institution powers over a holding company that owns a state chartered financial institution. Allows mutual savings associations and mutual savings banks to establish voting party rights through articles of incorporation or conversion. Updates a reference to federal law. Corrects a reference to federal law. Allows a corporate fiduciary to act as an agent for the sale of a life insurance policy. Makes other specific changes. Makes conforming amendments. (94)

HB 1603**Author(s): Mangus; ; Lytle****Sponsor(s): Wheeler; Lewis****Citations Affected: IC 16-20.****Effective: July 1, 1999.**

Water well drilling inspectors. Provides that an appointee or employee of a local health officer who is not a licensed water well driller may not inspect the drilling of a water well. (94)

HB 1604**Author(s): Mangus; Lytle****Sponsor(s): Wheeler; Lewis****Citations Affected: IC 14-16.****Effective: July 1, 1999.**

Snowmobile registration fees. Increases the fee from \$15 to \$30 for the registration of a snowmobile with

the department of natural resources. Provides that the department of natural resources may purchase land for snowmobile trails only from a willing seller of the land. (The introduced version of this bill was prepared by the natural resources study committee.) (2)

HB 1606**Author(s): Cherry; Mellinger; Cook****Sponsor(s): Ford; Lewis; Gard; Wolf****Citations Affected: IC 36-7; noncode.****Effective: Upon passage; July 1, 1999.**

Planning and zoning. Requires a municipality to: (1) provide municipal services to a contiguous unincorporated area; or (2) obtain the consent of the county legislative body; before exercising planning jurisdiction in the contiguous unincorporated area. Allows the complete use and alienation of mineral resources or forests by the owner or alienee of the mineral resources or forest in an area under the jurisdiction of a plan commission established under the advisory planning law or area planning law. Makes certain changes to the county plan commission membership. Provides that the legislative body may adopt an ordinance to nullify a change in a zone map that was the result of a person's material misrepresentation or omission of facts without referring the ordinance to the plan commission for consideration and recommendation. Provides that if an additional division of the board of zoning appeals is established by ordinance when a municipal plan commission exercises jurisdiction outside the incorporated area of the municipality, the ordinance may also provide for the appointment of the members by the county or township. (Current law provides that some members are appointed by the municipality or county and the plan commission.) Makes technical changes. (47)

HB 1608**Author(s): Bailey; Klinker; Goeglein; Scholer****Sponsor(s): Merritt**

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Citations Affected: IC 8-1-2.3-6; IC 36-4.

Effective: July 1, 1999.

Annexation. Provides that the effective date of an annexation may not be postponed for more than three years. Provides that with regard to certain annexations, written notice of the annexation must be sent at least 60 days before the date of the public hearing by certified mail to the landowners in the territory proposed to be annexed. Specifies the information that must be included in the written notice sent to landowners in the area proposed to be annexed. Provides that for municipalities other than cities in St. Joseph County, a remonstrance petition must contain the signatures of at least 65% of the owners of land in the annexed territory or the owners of more than 75% of the assessed valuation of land in the annexed territory. (Current law provides that a remonstrance petition must contain the signatures of a majority of owners of land in the annexed territory or the owners of more than 75% in assessed valuation of the land in the annexed territory.) Provides that a remonstrance petition filed in an annexation by a city in St. Joseph County must contain the signatures of the majority of owners of land in the annexed territory or the owners of more than 75% in assessed valuation of the land in the annexed territory. Extends the period for filing a remonstrance from 60 days to 90 days. Requires a court to order an annexation not to take place if certain requirements are met. Provides that for a municipality other than a city in St. Joseph County, one factor the court may consider in determining whether an annexation should take place is whether the annexation is in the best interests of the landowners in the territory proposed to be annexed. Specifies that a municipality must adopt a written fiscal plan for certain annexations. Specifies additional information that must be included in the fiscal plan. Removes a requirement currently in the law that the fiscal plan include the plan for hiring the employees of other governmental entities whose jobs will be eliminated by the proposed annexation. Provides that all municipalities must provide noncapital and capital services to an annexed area that are equivalent to services provided within the municipality regardless of similar topography, patterns of land use, and population density. (Current law requires municipalities other than cities in St. Joseph County to provide services to the annexed area that are equivalent to those services provided

within the municipality that have similar topography, patterns of land use, and population density.) Provides that the sheriff, the county election board, the secretary of state and the township trustee must receive annexation and disannexation filings. Makes technical amendments. (87)

HB 1611

Author(s): Brown C

Sponsor(s): Miller; Breaux; Simpson

Citations Affected: IC 16-28.

Effective: July 1, 1999.

Health facility monitor payments. Permits the state department of health to use money from fines imposed upon health facilities to pay the costs of monitors in health facilities that are financially unable to pay the monitor's costs. (77)

HB 1618

Author(s): Ayres; Stevenson; Leuck; Goeglein

Sponsor(s): Skillman; Wolf

Citations Affected: IC 5-11.

Effective: July 1, 1999.

Unpaid checks and warrants drawn on public funds. Provides that warrants or checks drawn upon public funds of a political subdivision are void, rather than canceled, if outstanding and unpaid for at least two years. (94)

HB 1625

Author(s): Bottorff; ; Foley; Duncan; Lytle

Sponsor(s): Server; Lewis

Citations Affected: IC 14-22.

Effective: July 1, 1999.

Wild turkey hunting. Increases the nonresident fee for a license to take a turkey. Allows the department of natural resources to issue a license for a hunter to take an additional turkey if a fall wild turkey season is established. (Current law allows a hunter to take one turkey annually.) (The introduced version of this bill was prepared by the natural resources study committee.) (2)

HB 1628

Author(s): Bottorff; Crosby; Yount

Sponsor(s): Long; Lewis

Citations Affected: IC 8-1-29.

Effective: July 1, 1999.

IURC enforcement authority. Gives the Indiana utility regulatory commission (IURC) authority to impose a civil penalty of not more than \$2,500 per offense if the IURC finds that a telecommunications provider has violated: (1) the law prohibiting the unauthorized switching of telecommunications providers or the billing of unauthorized services; or (2) rules prohibiting the unauthorized switching of telecommunications providers or the billing of unauthorized services. Requires civil penalties to be deposited in the state general fund. (75)

HB 1638

Author(s): Grubb; Dillon; Leuck

Sponsor(s): Weatherwax; Lewis; Jackman; Wolf; Nugent

Citations Affected: IC 15-1.5-10.5; IC 36-7; noncode.

Effective: Upon passage; July 1, 1999.

Agriculture. Provides that the limitation on the number of years a trustee of the Center for Agricultural Science and Heritage may serve does

not include any time of not more than two years the trustee serves as an initial appointee or to fill a vacancy. Provides that a county, municipality or the state may require an agricultural nonconforming use to be maintained and operated in compliance with: (1) all state environmental and state health laws and rules; and (2) requirements to which conforming agricultural use land is subject under the county's comprehensive plan or zoning ordinance. Defines agricultural use and agricultural nonconforming use. Provides that an agricultural use of land that constitutes an agricultural nonconforming use may be changed to another agricultural nonconforming use without losing agricultural nonconforming use status. Requires the attorney general and the commissioner of agriculture to jointly conduct a study of the contractual arrangements prevalent throughout the livestock production industry. (75)

HB 1649

Author(s): Tincher; Budak; Lawson L; Duncan

Sponsor(s): Meeks R; Alexa

Citations Affected: IC 35-48-7.

Effective: June 30, 1999; July 1, 1999.

Central repository for controlled substances data. Requires the state police department, with the approval of the controlled substances advisory committee, to provide for a prescription monitoring program that includes certain information to be provided to the central repository for controlled substances data each time a controlled substance designated by the advisory committee under schedule II, schedule III, or schedule IV is dispensed. Provides that the state police department, instead of the health professions bureau or the central repository, is responsible for the costs of the controlled substance prescription monitoring program. Requires the state police department, with the advice of the advisory committee, to designate a central repository for the collection of the information. (Current law requires the advisory committee to designate the central repository.) Allows the state police department, with the advice of the advisory committee, to execute a contract with a vendor designated by the state police department as the central repository. Transfers

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responsibility for the administration of the controlled substances data fund from the health professions bureau to the state police department. Provides that the law concerning the central repository for controlled substances expires July 1, 2001, instead of July 1, 1999. (69)

HB 1652

Author(s): Hasler; Murphy; Liggett

Sponsor(s): Wyss; Alexa

Citations Affected: IC 22-4; IC 22-4.5.

Effective: Upon passage.

Workforce investment system. Establishes the workforce investment system. Provides that the system is administered by the department of workforce development under a state plan developed by the state human resource investment council. Sets forth requirements for regional boards, the one stop service delivery system, and one stop partners. Changes the membership of the state human resource investment council. Specifies the membership of the regional workforce investment boards. Removes the \$1,500,000 cap on the annual amount of certain penalties deposited into the special employment and training services fund. Increases the amount of money in the special employment and training services fund that can be used annually to provide training to participants in certain programs from \$4,500,000 to \$5,000,000. Authorizes the use of no more than \$150,000 as the maximum amount of training funds that the department of workforce development may use for its administrative expenses. Requires the department of workforce development to make an annual report on training projects to the governor, the legislative council, and the unemployment insurance board. Authorizes the use of \$6,500,000 from the available balance of the special employment and training services fund to provide training to incumbent workers during the four year period that begins July 1, 1999, and ends June 30, 2003. (96)

HB 1653

Author(s): Hasler; ; Scholer; Klinker; Linder; Day; Dvorak

Sponsor(s): Bray; Lanane; Long

Citations Affected: IC 32-7; IC 33-4; IC 33-5; IC 33-10.5; IC 33-11.6.

Effective: July 1, 1999.

Residential landlord and tenant law. Requires a landlord to give a tenant at least 30 days written notice before modifying a rental agreement unless a written rental agreement provides otherwise. States circumstances under which a landlord may enter a tenant's dwelling unit. Provides that a landlord may not deny a tenant access to the tenant's personal property, except under an existing statute. Provides that a landlord may not interfere with a tenant's access to or possession of the tenant's dwelling unit, except under a judicial order. Provides that a tenant may not interrupt, reduce, shut off, or cause termination of utility services to the tenant's dwelling unit if the action will result in serious damage to the rental unit. Establishes an emergency possessory action in small claims courts for a landlord or a tenant to obtain a hearing within three business days if the tenant is committing waste to the rental unit or if the landlord has violated the tenant's right of access to or possession of the dwelling unit. (75)

HB 1663

Author(s): Moses

Sponsor(s): Miller

Citations Affected: IC 16-18; IC 16-28.

Effective: July 1, 1999.

Nurse aide registry. Provides that after July 1, 1999, an ambulatory outpatient surgical center, home health agency, hospice program, or hospital may not hire a nurse aide who has been convicted of certain crimes or who has committed an act that has been entered into the state nurse aide registry. Allows the state department of health to impose a fine not to

exceed \$5,000 for a violation of a provision of the health facilities law. Requires that if a health care facility has knowledge of a conviction against a health care facility employee that would indicate an unfitness to serve as a health care facility employee, the health care facility must report the information to the state nurse aide registry or the appropriate licensing authority. (77)

HB 1672

Author(s): Klinker; Scholer; Porter; Bosma

Sponsor(s): Alting; Bowser; Jackman; Wolf

Citations Affected: IC 20-12.

Effective: July 1, 1999.

Purdue and Indiana University trustees. Removes the requirement that a trustee of Purdue University or Indiana University elected by the alumni must be a resident of Indiana. (75)

HB 1673

Author(s): Klinker; Becker; Goeglein; Dickinson

Sponsor(s): Miller; Breaux; Server; Rogers

Citations Affected: IC 16-18; IC 16-27; IC 34-30.

Effective: July 1, 1999.

Home health aide registry. Requires the state department of health to include a home health aide who has successfully completed a competency evaluation program in the registry of nurse aides. Requires the state department of health to establish a procedure to investigate allegations of neglect, abuse, or misappropriation of property by a home health aide and to notify the registry of nurse aides of a proven allegation. Provides that an individual who is denied or dismissed from employment by a home health agency because of a criminal history does not have certain rights, including the right to sue or to collect unemployment insurance. Provides immunity to persons for denying or terminating employment of

an individual with a criminal history or reporting to or participating in the proceedings of the state department of health or the registry of nurse aides. (98)

HB 1687

Author(s): Sturtz

Sponsor(s): Meeks C; Alexa

Citations Affected: IC 13-11-2; IC 13-18-16-16.

Effective: January 1, 1999 (retroactive); July 1, 1999.

Public water systems and water supply systems. Amends the definition of "public water system" for purposes of the law concerning the supplemental drinking water assistance program to incorporate federal requirements by reference to the federal statute. Amends the definition of "water supply system" for purposes of: (1) the law concerning operators of water treatment plants, wastewater treatment plants, and water distribution systems; and (2) other environmental management laws to mean the system of wells, pumps, structures, pipes, facilities, and other constructed conveyances through which water is obtained, treated as required, and supplied through a water distribution system to the public for human consumption. Specifies that nonprofit water utilities that reconstitute as water authorities: (1) retain all privileges, rights, and exemptions as nonprofit water utilities under their bylaws and articles and all laws applicable to nonprofit water utilities and local water corporations; (2) are subject only to the laws applicable to nonprofit water utilities and local water corporations; and (3) are subject to the laws concerning municipally owned utilities for purposes of setting rates and charges. (69)

HB 1695

Author(s): Grubb; Burton

Sponsor(s): Paul; Mrvan

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Citations Affected: IC 28-1.

Effective: July 1, 1999.

Use of ATM and debit cards by minors. Provides that deposits withdrawn by a minor through preauthorized direct withdrawal, automated teller machine (ATM) transactions, debit card transactions, and transfers by phone are treated in the same manner as similar deposits withdrawn by an adult. (94)

HB 1698

Author(s): Porter; Scholer

Sponsor(s): Weatherwax; Breaux; Craycraft; Paul; Wyss; Blade

Citations Affected: IC 20-12.

Effective: July 1, 1999.

Postsecondary proprietary education grants. Combines the higher education award program for students at postsecondary proprietary educational institutions with the award program for students at other institutions of higher learning. Provides that a student at a postsecondary proprietary educational institution may receive a maximum grant that is equal to the amount the student would receive if the student were enrolled at Ivy Tech State College, and provides that the student is not eligible for a freedom of choice award. Establishes a national guard tuition supplement program to provide tuition scholarships to state higher education institutions for qualified members of the Indiana national guard. Repeals the postsecondary proprietary grant program and fund. (2)

HB 1717

Author(s): Becker; Stilwell; Espich; Kruse

Sponsor(s): Server; Young R

Citations Affected: IC 6-3.5.

Effective: January 1, 2000.

County motor vehicle excise surtax. Requires the bureau of motor vehicles to issue a credit under the motor vehicle excise surtax in the same manner that credits are available under the motor vehicle excise tax. Provides that the motor vehicle excise surtax is to be prorated based on the month of registration. (58)

HB 1725

Author(s): Crawford

Sponsor(s): Clark; Howard

Citations Affected: IC 13-17-14-5.

Effective: Upon passage.

Lead-based paint activities. Prohibits a state, a municipal corporation, a county, a municipality, and a township from being required to pay a fee established by the air pollution control board for a license to engage in lead-based paint activities. Prohibits a state, a municipal corporation, a county, a municipality, a township, certain corporations, certain trusts, and certain other entities exempt from federal income taxation from being required to pay a fee established by the air pollution control board for a lead-based paint training program seeking approval of a lead-based paint training course. (69)

HB 1735

Author(s): Welch; Brown C; Becker; Whetstone

Sponsor(s): Johnson; Simpson; Paul

Citations Affected: IC 25-26.

Effective: July 1, 1999.

Pharmacy law. Provides that counseling a patient concerning drugs and devices is part of the practice of pharmacy. Eliminates the requirement that a pharmacist must be actively practicing in order to serve on the Indiana board of pharmacy, and requires only that the pharmacist hold a current license to practice in Indiana. Prohibits a person employed as a

full-time staff member or as a professor at a school of pharmacy from serving on the board. Allows a person who has obtained certain educational requirements to apply for registration as a pharmacist intern or pharmacist extern. Amends structural requirements concerning security and counter size for pharmacies. Requires that all prescriptions be kept in written or electronic format. Allows a pharmacist participate in certain activities. (101)

HB 1744

Author(s): Avery; Adams T; Becker; Ruppel

Sponsor(s): Server; Wolf; Lutz L

Citations Affected: IC 36-8.

Effective: July 1, 1999.

Pre-planning fire inspections. Provides that a paid fire department or a volunteer fire company may make a pre-planning inspection for the purpose of advising the department or company on issues affecting fire suppression response. Requires the fire department or volunteer fire company to give seven days notice of the pre-planning inspection to the occupant or owner of the structure. Provides that the fire department or volunteer fire company shall be allowed entry and access for the purpose of making a pre-planning inspection. (87)

HB 1747

Author(s): Dickinson; Crawford; Atterholt; Lawson L; Foley

Sponsor(s): Lubbers; Simpson; Wyss; Alexa; Kenley; Zakas; Skillman

Citations Affected: IC 31-14; IC 31-37; IC 34-26; IC 35-42; IC 35-48; IC 35-50.

Effective: July 1, 1999.

Domestic violence, firearms, and delinquency. Creates the offense of domestic battery, which is a

battery resulting in bodily injury against a person who: (1) is or was a spouse of; (2) is or was cohabitating as if a spouse of; or (3) has a child in common with the person who commits the offense. Makes the offense a Class A misdemeanor for a first conviction and a Class D felony for subsequent convictions. Prohibits a court from providing misdemeanor sentencing treatment to a person who is convicted of a subsequent domestic battery. Requires that if a court finds that a noncustodial parent has been convicted of a domestic battery that was witnessed or heard by the noncustodial parent's child, the court shall limit the noncustodial parent's visitation with the child to supervised visitation for a specified period. Allows a court to order a person against whom a protective order has been issued to refrain from possessing a firearm during a period not longer than the period that the person is under the protective order if the court finds by clear and convincing evidence that the person poses a significant threat of inflicting serious bodily injury upon certain persons. Provides that the court: (1) shall notify the state police department of all protective orders that prohibit a person from possessing a firearm; and (2) may order the confiscation of any firearms which the court finds the respondent to possess during the period that the protective order is in effect. Provides that a court is not required to make certain findings before detaining a child alleged to be a delinquent child if the child is ordered detained in the home of the child's parent, guardian, or custodian, or is released subject to certain conditions placed upon the child's actions or behavior. Allows a court to impose certain conditions upon the child's actions or behavior, including home detention, electronic monitoring, curfew restrictions, and other specified reasonable conditions, before releasing from custody a child who is alleged to be a delinquent child. Provides that a child who is detained in the home of the child's parent, guardian, or custodian or who is subject to certain other conditions of release may not be considered to be detained for purposes of requiring that a fact-finding hearing or waiver hearing must be commenced not later than 20 days after a delinquency petition is filed. Makes the possession of cocaine or a narcotic drug classified in schedule I or II while also in possession of a firearm a nonsuspendible Class C felony. (76)

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HB 1748

Author(s): Buell; Crawford; Kruse

Sponsor(s): Miller; Breaux

Citations Affected: Noncode.

Effective: January 1, 1997 (retroactive).

Tax overpayments in economic revitalization areas. Provides that a designating body in an economic revitalization area may, by resolution, extend the time period for which a property owner is entitled to an assessed value deduction for overpayments of property taxes during the period in which the property owner was entitled to a deduction. (92)

HB 1750

Author(s): Porter; Behning; Scholer

Sponsor(s): Weatherwax; Rogers

Citations Affected: IC 20-1; IC 20-10.1; IC 20-10.2; noncode.

Effective: Upon passage; July 1, 1999; July 1, 2001.

Education accountability. Provides that a school may be accredited by meeting the criteria for the Malcolm Baldrige National Quality Award for Education or a national or regional accreditation agency rather than under performance based accreditation. Adds additional benchmarks and indicators of performance to the school corporation annual performance report. Establishes a school accountability program for targeted and continuous school improvement. Requires each school and school corporation to develop an annual strategic and continuous school improvement plan. Requires a school to develop a professional development program as a part of the school's plan. Requires the department of education to use ISTEP scores, performance indicators developed by the education roundtable, and a school corporation's annual performance report to assess the improvement of each school in the school corporation. Requires the Indiana state board of education to develop categories of school

improvement and place each school in a category. Provides a series of interventions for schools that do not show improvement based on the number of years that improvement is not demonstrated. Provides for creation of a system of recognition and financial awards for schools that demonstrate improvement. Repeals a statute under the performance based accreditation law that requires the development of a level of expected performance for each school in light of the school's socioeconomic factors. (2)

HB 1755

Author(s): Budak; Crosby; Ruppel; Mahern

Sponsor(s): Wyss

Citations Affected: IC 25-1; IC 25-8; IC 25-9; IC 25-21.5; noncode.

Effective: Upon passage; July 1, 1999.

Occupational licensing. Provides that a board that regulates occupations or professions may deny licensure to an applicant who has had disciplinary action taken against the applicant or the applicant's license in another jurisdiction or who has practiced without a license in violation of the law. Changes the application requirements for the following: cosmetology school licenses, esthetics instructor licenses, electrology instructor licenses, cosmetologist licenses, manicurist licenses, shampoo operator licenses, and esthetician licenses. Provides that if a student in a cosmetology school presents to the school a valid license issued by the state board of cosmetology examiners, the school shall provide credit toward the student's current program for the hours formerly completed in a cosmetology school in specified subjects. Voids an administrative rule that provides that hours obtained in one course at a cosmetology school may not be credited toward another course. Provides that the required sign at the entrance of a salon must indicate that the establishment is licensed as one of the following: a cosmetology salon, an electrology salon, a manicuring salon, or an esthetic salon. Prohibits a cosmetology professional from using products containing methyl methacrylate (MMA). Provides that a cosmetology professional who uses products containing MMA is subject to disciplinary sanctions. Changes bonding requirements for boxing matches.

Changes the registration fee for a land surveyor from a minimum of \$50 to a maximum of \$50. (101)

HB 1757

Author(s): Lytle; Moses; Dillon

Sponsor(s): Meeks R; Smith S

Citations Affected: IC 23-14.

Effective: July 1, 1999.

Cemetery perpetual care funds. Provides that 50% of any appreciation of the principal of a cemetery perpetual care fund may be annually withdrawn within 45 days after the end of the fund's fiscal year. Provides that any income earned by the fund during the fiscal year may be withdrawn quarterly. Provides that only under certain circumstances may the cemetery perpetual care fund be subject to attachment by a creditor. Provides that the cemetery perpetual care fund may be additionally funded by payments received from transferred cemetery property. (100)

HB 1758

Author(s): Lytle

Sponsor(s): Meeks R; Smith S

Citations Affected: IC 30-2.

Effective: July 1, 1999.

Prepaid funeral services. Makes various amendments to provisions concerning the payment of funeral expenses, burial services, or merchandise in advance of need. Specifies certain requirements for contracts for prepaid services or merchandise and contracts relating to trusts or escrows established to hold consideration for services or merchandise. (92)

HB 1764

Author(s): Mahern; Behning

Sponsor(s): Clark; Breaux

Citations Affected: IC 36-9.

Effective: July 1, 1999.

Solid waste funds. Adds mowing services to the operation costs that may be paid by a tax levied by the Indianapolis board of public works on the solid waste special service district. (87)

HB 1774

Author(s): Crawford; Frizzell; Kruzan; Atterholt

Sponsor(s): Wyss; Breaux

Citations Affected: IC 20-12-31.5-6

Effective: July 1, 1999.

Audits of Riley Hospital. Provides that an Indiana public interest nonprofit corporation to which the board of trustees of Indiana University, with the approval of the governor, delegates authority to manage and operate the James Whitcomb Riley Hospital for Children is not subject to an audit by the state board of accounts. (44)

HB 1782

Author(s): Whetstone; Kuzman; Crosby

Sponsor(s): Weatherwax; Lewis; Lawson C

Citations Affected: IC 26-3; IC 26-4.

Effective: July 1, 1999.

Liens against grain assets. Provides that if a secured party gives notice to the licensee and to the director of the Indiana grain buyers and warehouse licensing agency of the secured parties interest in a claimant's grain, the director shall pay to the claimant the portion of the proceeds of grain assets to which the claimant is entitled with a checked issued jointly to the claimant and the secured party. Provides for

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payment to claimants and multiple secured parties. Provides that if a secured party gives notice to the licensee and to the board of the grain indemnity fund of the secured parties interest in a claimant's grain, the board may compensate the claimant with the portion of the proceeds of grain assets to which the claimant is entitled by issuing a check jointly to the claimant and the secured party. Provides for grain indemnity payments to claimants and multiple secured parties. Exempts grain buyers who are licensed under state or federal law from paying an additional \$100 registration fee. Adds one member to the board of the Indiana grain indemnity corporation. (100)

HB 1789

Author(s): Kruzan; Buell; Crooks; Buck

Sponsor(s): Wheeler; Rogers

Citations Affected: IC 6-2.5; IC 6-6; IC 6-8.1; noncode.

Effective: July 1, 1999.

Motor carrier fuel tax and Pearl Harbor survivor and state educational institution trust license plates. Provides that a motor carrier is entitled to a credit against the motor carrier fuel tax for motor fuel used to propel equipment mounted on a motor vehicle that has a common reservoir for locomotion and for the operation of the equipment. Provides that the credit applies to motor fuel used to propel the equipment within Indiana and outside Indiana. Requires a motor carrier to obtain certification from the department of state revenue before the motor carrier may claim the credit. Requires a motor carrier to file a claim for the credit with the motor carrier's quarterly return. Provides that the department of state revenue may approve only \$3,500,000 of credits in a state fiscal year. Provides that state sales tax is applied to the price of kerosene sold from a metered pump before the addition of state and federal taxes. Establishes a procedure for the bureau of motor vehicles to disclose the name and address of a purchaser of a state educational institution trust license plate to a designated representative of a state educational institution. Establishes the Pearl Harbor survivor license plate and excepts the plate from the minimum sales requirement. Requires the bureau of motor

vehicles to design and issue a state educational institution license plate upon the request of a state educational institution. Establishes a procedure for collection and distribution of annual fees from the state educational trust fund by the treasurer of state from the sale of at least 10,000 state educational institution license plates a year. (73)

HB 1821

Author(s): Klinker; ; Kruzan; Scholer; Welch

Sponsor(s): Weatherwax; Rogers; Alting; Bowser

Citations Affected: IC 20-12.

Effective: July 1, 1999.

Various higher education matters. Provides that membership on the commission for higher education does not constitute holding a public office. Provides that a commission member is not required to take an oath of office. Provides that a commission member is not disqualified from holding public office or required to forfeit public office by serving on the commission. Permits a member of the commission to be a public employee if the person is not an employee or board member of a public or private university or college in Indiana. Provides that the student member of the commission may be an employee of a college or university. Permits members of the commission to be reimbursed for lodging expenses incurred while on official business. Provides that a board member of Ivy Tech State College is entitled to the minimum salary per diem provided by law unless the member holds a lucrative office. Provides that a board member of Ivy Tech State College is entitled to reimbursement for travel expenses and other expenses actually incurred in performing the member's duties on the board. (47)

HB 1823

Author(s): Klinker; Scholer; Kuzman

Sponsor(s): Meeks R; Washington; Alting; Alexa

Citations Affected: IC 20-12-3.5-2**Effective: July 1, 1999.**

University police officers. Provides that when a police officer retires after at least 20 years service with a state university police force, the officer may retain the officer's service weapon and receive a badge showing the officer's retired status. Provides that the officer shall be issued an identification card by the department showing the officer's name and rank at retirement, retired status, and authority to retain the service weapon. (44)

HB 1826**Author(s): Klinker; Becker; Brown C****Sponsor(s): Miller; Adams K; Simpson; Sipes****Citations Affected: IC 25-1.****Effective: July 1, 1999.**

Health professions bureau. Provides the boards that are under the jurisdiction of the health professions bureau with additional options when considering the renewal application of a practitioner. (Current law provides for license renewal or denial of the license renewal.) Provides that a practitioner is subject to further disciplinary sanctions if, after a hearing, a board finds that the practitioner failed to comply with an order that was issued as a disciplinary sanction. (100)

HB 1865**Author(s): Kuzman****Sponsor(s): Meeks R; Alexa****Citations Affected: IC 35-47-2.5-8.****Effective: Upon passage.**

Criminal history checks for handguns. Allows the state police department to maintain a record for not more than 12 months indicating that the fee collected

by a firearms dealer to offset the cost of conducting a criminal history check on a person acquiring a handgun has been transferred to the state police department by the dealer. (69)

HB 1869**Author(s): Cochran; Bauer; Frenz; Ayres****Sponsor(s): Kenley; Sipes; Lewis; Wyss****Citations Affected: IC 5-26; IC 10-1.****Effective: July 1, 1999.**

Integrated public safety commission. Establishes the integrated public safety commission to promote the efficient use of local, state, and federal public safety agency resources through improved coordination and cooperation. Allows the integrated public safety commission to contract for the establishment of a statewide wireless public safety voice and data communications system. Establishes the integrated public safety commission fund. Eliminates the public safety trunking system committee. Establishes the state agency public safety committee. Requires a state public safety agency that has or wants to have a voice or data wireless communications network to join the statewide public safety voice and data communications system. Provides that the commission is subject to state procurement laws. (87)

HB 1870**Author(s): Bauer; Cochran****Sponsor(s): Mills; Washington****Citations Affected: IC 24-3.****Effective: July 1, 1999.**

Escrow fund for tobacco company payments. Requires a cigarette manufacturer that is not a participant in the master settlement agreement among cigarette manufacturers and various states (including Indiana) to make payments into an escrow account. (44)

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HB 1878

Author(s): Oxley; Ripley; Lytle; Ulmer

Sponsor(s): Wheeler; Wolf; Lewis

Citations Affected: IC 14-22.

Effective: July 1, 1999.

Wildlife violator compact. Adopts the wildlife violator compact. Provides that a person may have a license to take a wild animal revoked for violating wildlife law while in another jurisdiction that has adopted the wildlife violator compact. Provides that wildlife officers must issue citations to state residents and wildlife violator compact jurisdiction residents in the same manner. Provides for membership on the board of compact administrators. (77)

HB 1902

Author(s): Porter

Sponsor(s): Weatherwax

Citations Affected: IC 20-8.1.

Effective: July 1, 1999.

Transfer tuition. Allows a school corporation to enter into an agreement to pay transfer tuition to a nonprofit corporation that educates children who have been placed in a health care facility or child care facility under certain circumstances. Adds provisions allowing a student who is placed in a state licensed private or public health care or child care facility by a parent or guardian to attend school in the school corporation in which the facility is located if the placement is projected to be for at least 14 consecutive days or at least an aggregate of 20 days. (Current law requires the placement to be for at least four weeks.) Provides that placement to a health care facility must be recommended by a physician. Provides that an entity in Indiana other than a parent or guardian that accepts an out of state student for placement is the guarantor for the student's transfer tuition to the Indiana school corporation that the student attends unless there is another guarantor. (73)

HB 1904

Author(s): Porter; Atterholt; Avery; Ayres; Bardon; Becker; Behning; Bodiker; Bosma; Budak; Cheney; Crawford; Crooks; Crosby; Day; Dickinson; Duncan; GiaQuinta; Grubb; Harris; Kersey; Klinker; Kruzan; Kuzman; Lawson L; Lytle; Mannweiler; Mellinger; Oxley; Robertson; Smith V; Summers; Weinzapfel; Welch

Sponsor(s): Lubbers; Breaux

Citations Affected: IC 4-10; IC 4-24; IC 5-22; IC 16-18; IC 16-19; IC 16-33; IC 20-1; IC 20-8.1; IC 20-15; IC 20-16; noncode.

Effective: Upon passage; July 1, 1999.

Blind School and Deaf School governance. Establishes the Indiana School for the Blind and the Indiana School for the Deaf as separate agencies independent from the state department of health. Provides for administration of each school by a school board appointed by the governor. Provides that each school is the purchasing agency for the school for purchases under an amount fixed by statute. Gives the superintendent of each school and the school's board of directors certain powers relating to employees of the school. Provides for appointment of the initial board of directors for each school and transition from administration by the state department of health to administration by the board of directors of each school. Provides that the school's board of directors must submit the school's proposed budget to the department of education for review. Requires the board of directors to provide to the department, if requested, information used by the board to develop the proposed budget. Makes conforming amendments. (75)

HB 1909

Author(s): Kuzman

Sponsor(s): Gard; Simpson; Kenley

Citations Affected: IC 4-4; IC 6-1.1; IC 13-19; IC 13-23; noncode.

Effective: July 1, 1997 (retroactive); upon passage; July 1, 1999.

Brownfield remediation and redevelopment. Requires the department of commerce to use money remaining in the enterprise zone fund at the end of a fiscal year to provide grants to enterprise zones for brownfield remediation and redevelopment activities. Eliminates duplication between two provisions granting authority to establish additional standards relating to establishing brownfield revitalization zones and granting tax deductions for them. Indicates that deductions in a zone may be limited to real or personal property in the zone. Prohibits a person that contaminates soil or surface water in a zone from receiving a property tax deduction for revitalizing the area. (Under current law only a person who contaminates groundwater is prohibited.) Eliminates the requirement that a political subdivision applying for a loan from the environmental remediation revolving loan program obtain an opinion of bond counsel. Allows the Indiana development finance authority to obtain an approving opinion. Permits the Indiana development finance authority to deposit appropriations and other money received under the environmental remediation revolving loan program into a subaccount of the environmental remediation revolving loan fund for the purpose of providing forgivable loans to political subdivisions for brownfield remediation and redevelopment. Provides that the authority must provide for special considerations for certain projects. Provides that certain persons are not subject to the civil penalty for violation of an underground storage tank standard if the tank is on a brownfield. Legalizes certain brownfield revitalization zones and voids certain zones established within a specified period. Makes related changes. (44)

HB 1919

Author(s): Sturtz

Sponsor(s): Gard; Simpson

Citations Affected: IC 13; noncode.

Effective: Upon passage; July 1, 1999.

Various environmental matters. Requires the

department of environmental management to publish the legislative services agency fiscal analysis of certain proposed rules in the Indiana Register before the air pollution control board, the water pollution control board, or the solid waste management board can adopt the rules. Requires the text of the fiscal analysis to be among the written materials considered at a board meeting held before the adoption of certain rules. Requires the commissioner of the department of environmental management to approve or deny permits within a certain number of days. Provides a new deadline for a person to file an appeal of the commissioner's decision to issue an initial permit under the operating permit program. Requires the commissioner to proportionally reduce the fees billed to sources with NPDES permits, solid waste permits, and hazardous waste permits if the funds in the environmental management permit operation fund less obligated expenditures exceed certain amounts. Permits the solid waste management board and the water pollution control board to change the amount of the cap by rule provided the new amount does not exceed the amount in the statute. Amends special waste requirements. Amends the voluntary environmental audit privilege to do the following: (1) specify that the privilege does not apply to criminal actions; (2) prohibit public disclosure of certain portions of certain audit reports; and (3) specify that the administrative or civil evidentiary privilege is not waived when the report is used in a criminal proceeding. Requires the department to: (1) maintain certain statistics on the use of environmental audit reports; and (2) propose an enforcement policy that provides relief from civil penalties for a voluntary disclosure that results from an audit. Requires the department to report annually to the environmental quality service council on: (1) the use of environmental audit reports; and (2) the use and effectiveness of the enforcement policy. Requires the department of environmental management to adopt a written policy concerning sources that emit styrene and to follow certain guidelines and procedures before publishing the policy. Requires the air pollution control board to adopt rules to establish appropriate standards for sources that emit styrene and to consider certain information when adopting the rules. Requires the environmental quality service council to: (1) review permit accountability timeframes; and (2) recommend to the general assembly circumstances in which the department should provide a transition period to allow certain people to choose between following certain rules,

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policies, and guidance documents or following the department of environmental management's RISC guidance document. (78)

HB 1920

Author(s): Bailey; Frizzell; Steele; Hasler

Sponsor(s): Skillman; Lewis

Citations Affected: IC 9-14; IC 9-24; IC 9-30.

Effective: July 1, 1999.

Probationary driver's license. Provides that an individual who holds a probationary license may receive an operator's, chauffeur's, public passenger chauffeur's, or a commercial driver's license when the individual is at least 18 years of age. Provides that a probationary license is valid for not more than 4 years and may not be renewed. Provides that the bureau of motor vehicles may not disclose the Social Security number, federal identification number, driver's license number, or digital image of the driver's license applicant of any person except to a law enforcement officer or an agent or a designee of the department of state revenue. Requires an individual holding a probationary license to attend and complete a defensive driving school program if either of the following occurs at least twice or both of the following have occurred: (1) the individual is convicted of certain moving offenses; (2) the individual is the operator of a vehicle involved in an accident for which a report is required to be filed. (71)

HB 1936

Author(s): Pelath

Sponsor(s): Kenley; Lanane

Citations Affected: IC 22-4.

Effective: July 1, 1999.

Access to wage and employment information. Allows the department of workforce development working through Access Indiana to contract with a private entity to allow the private entity to provide secure

electronic access to employment and wage information regarding employees. Requires a creditor to have written consent from the employee before obtaining the information. Requires the creditor to provide the private entity with a copy of the written consent. Requires that a private entity retain written consent for three years. Requires the private entity that contracts with Access Indiana for the information from the department of workforce development to pay the costs of implementing and administering the program. (96)

HB 1951

Author(s): Welch; Brown C; Becker; Whetstone

Sponsor(s): Wyss; Craycraft; Alting

Citations Affected: IC 5-10-8; IC 27-8-5; IC 27-13-7; noncode.

Effective: July 1, 1999.

Dental anesthesia. Requires state employee health plans, health insurance policies, and health maintenance organizations that provide coverage for certain health care services to provide coverage for certain anesthesia and hospital charges for dental procedures for individuals who are less than 19 years of age and individuals with disabilities. Provides that the coverage does not apply to temporal mandibular joint disorders. (77)

HB 1971

Author(s): Bardon; Becker

Sponsor(s): Miller; Simpson; Sipes; Adams K

Citations Affected: IC 23-1.5; IC 25-1; IC 25-13; IC 25-14.

Effective: July 1, 1999.

State board of dental examiners. Changes the deadline for filing an application to take the dental hygiene and dental examinations from 30 to 45 days

before the examination. Changes the name of the state board of dental examiners to the state board of dentistry. (100)

HB 1980

Author(s): Klinker; Cochran; Buell; Harris

Sponsor(s): Lubbers; Bowser; Rogers; Alting

Citations Affected: IC 21-9.

Effective: July 1, 1999.

Conforming amendments for college savings plan. Amends the Indiana family college savings programs law to conform with federal law. (92)

HB 1983

Author(s): Klinker; McClain; GiaQuinta; Pond

Sponsor(s): Harrison; Wyss; Simpson; Skillman; Landske; Smith S

Citations Affected: IC 4-4; IC 6-3; IC 6-3.1; IC 36-4; noncode.

Effective: February 1, 1999 (retroactive); July 1, 1999; January 1, 2000.

Enterprise zones; annexation. Adds six members to the enterprise zone board. Provides that the enterprise zone board, an urban enterprise association, the department of state revenue, the department of commerce, the state board of tax commissioners, county auditors, and township assessors shall, upon request, provide each other with records and information (including records and information that are otherwise confidential) that concern an individual or business that is receiving a tax deduction, exemption, or credit related to an enterprise zone. Provides that a pass through entity is a taxpayer for purposes of allowing a pass through entity to take an enterprise zone employment expense credit for individuals first employed by the taxpayer in 1999 and thereafter. Provides for the distribution

of the tax credit to the members of a pass through entity when the pass through entity does not have state tax liability against which the tax credit may be applied. Provides that pass through entities are eligible for the enterprise zone loan interest credit. Provides that an ordinance adopted by a municipality that annexes certain territory that is contiguous to the municipality takes effect immediately upon the expiration of the specified 60 day remonstrance and appeal period and after the required publication, filing, and recording if: (1) the annexed territory has no population; (2) 90% of the total assessed value of the land for property tax purposes has one owner; and (3) the annexation is required to fulfill an economic development incentive package and to retain an industry through various local incentives, including urban enterprise zone benefits. (73)

HB 1985

Author(s): Bottorff; Lutz J. Hasler; Yount

Sponsor(s): Lubbers; Washington

Citations Affected: IC 4-4.

Effective: July 1, 1999.

Economic development. Provides that information and high technology infrastructure is eligible for programs under the industrial development fund, the industrial development grant fund, or the industrial development project guaranty fund. Defines high growth companies with high skilled jobs and information and high technology infrastructure. Specifies the amount that the Indiana development finance authority may transfer to the reserve fund under the capital access program in the case of a borrower that is a high growth company with highly skilled jobs. Provides that school corporations, political subdivisions, and libraries may apply for loans from the Indiana energy efficiency loan fund to undertake energy efficiency projects. Provides that a library board of a public library and certain private libraries may participate in energy efficiency programs and enter into guaranteed energy savings contracts that exist for school corporations and political subdivisions. Allows the Indiana development finance authority to triple its contribution to a participating lender's loan loss reserve fund if the borrower is a child care facility

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currently licensed by the state. Allows the Indiana development finance authority to issue bonds for the purpose of financing capital expenditures at licensed child care facilities in the state. Allows the Indiana development finance authority to use appropriations to create a debt service reserve fund for the purpose of allowing the authority to issue pooled bonds for the construction or renovation of licensed child care facilities or facilities in the process of being licensed. Requires the regulatory flexibility committee to: (1) study the telecommunications systems (and related cost structures) used in all state agencies as compared with similar services provided by privately owned telecommunications companies; and (2) report the results of its study to the legislative council by November 1, 1999. (73)

HB 1986

Author(s): Tincher; Scholer; Leuck; Bischoff; Crosby; Welch; Dillon; Young M; Bardon

Sponsor(s): Ford; Hume; Gard; Craycraft

Citations Affected: IC 5-10.2; noncode.

Effective: July 1, 1999; July 1, 2000.

Pension benefits. Provides a cost of living adjustment (COLA) in 1999 to members of the public employees' retirement fund (PERF) and members of the Indiana state teachers' retirement fund (TRF) (or their survivors or beneficiaries) who retired or were disabled before July 2, 1995. Provides a COLA in 2000 to members of PERF or TRF (or their survivors or beneficiaries) who retired or were disabled before July 2, 1996. Provides a supplemental "thirteenth check" benefit to retired teachers and certain retired public employees (or their survivors or beneficiaries) on November 1, 1999, and on November 1, 2000. Provides an additional cost of living adjustment (COLA) in 1999 and 2000 to retired or disabled members of the public employees' retirement fund (PERF) and members of the Indiana state teachers' retirement fund (TRF). Provides that the additional COLA is equal to the amount necessary to provide: (1) members who retired or were disabled before July 2, 1960, with pension benefits having at least 50% of the purchasing power of the pension benefits received by those members when they first retired (payable in 1999); and (2) members who retired or

were disabled before July 2, 1975, with pension benefits having at least 57.4% of the purchasing power of the pension benefits received by the those members when they first retired (payable in 2000). (73)

HB 2021

Author(s): Dobis; Fesko; Wolkins; Bosma; Kuzman

Sponsor(s): Landske; Sipes; Gard

Citations Affected: IC 9-18; IC 13-17; noncode.

Effective: June 30, 1998 (retroactive); upon passage.

Motor vehicle inspection stations. Applies air pollution control laws concerning motor vehicles emissions tests to certain motor vehicles. Allows certain inspection stations to inspect and certify motor vehicles. Describes circumstances under which the department of environmental management may contract with a person to conduct emissions inspections. Repeals the expired provision that governed contracts for motor vehicles emission inspections and legalizes actions taken under the expired provision. (78)

HB 2022

Author(s): Dobis; Richardson; Buck; Ayres

Sponsor(s): Landske; Simpson

Citations Affected: IC 6-1.1; IC 6-6; IC 6-8.1; IC 9-14; IC 9-17; IC 9-18; IC 9-29; IC 12-13; IC 12-16; IC 12-19; IC 21-2; IC 21-3; noncode.

Effective: January 1, 2000; January 1, 2001.

Excise tax on trucks and semitrailers. Removes certain commercial vehicles from the property tax rolls and imposes an excise tax upon the vehicles. Requires the bureau of motor vehicles and the

department of state revenue to deposit commercial vehicle excise taxes collected in 2001 and thereafter in the commercial vehicle excise tax fund. Provides for the distribution of commercial vehicle excise taxes to local units from the commercial vehicle excise tax fund. Appropriates amounts from the general fund that are necessary for the bureau of motor vehicles and the department of revenue to defray the costs of administering the excise tax. Sets forth the commercial vehicle excise tax rates for calendar year 2000. Prescribes the method for establishing the commercial vehicle excise tax for calendar year 2001 and thereafter. Provides that the commercial vehicle excise tax for a farm vehicle is 50% of the commercial vehicle excise tax for a nonfarm vehicle of the same declared gross weight. Establishes the commercial vehicle excise tax reserve fund to be used to transfer funds for distribution to local units in the event that sufficient funds are not available for distributions from the commercial vehicle excise tax. Provides commercial vehicle excise taxes collected in 2000 shall be deposited into the commercial vehicle excise tax reserve fund. Requires tax payers with commercial vehicles subject to the commercial vehicle excise tax to file an information return with the township assessor before May 15, 2000. Requires the county auditor to apportion and distribute commercial vehicle excise taxes among the respective funds of each taxing unit in the same manner and at the same time as property taxes are apportioned and distributed. Makes conforming amendments. (92)

HB 2027**Author(s): Kuzman; ; Burton; Mahern****Sponsor(s): Paul; Lewis****Citations Affected: IC 23-2; IC 32-8; noncode.****Effective: July 1, 1999.**

Mortgage loans and loan brokers. Makes numerous changes concerning the regulation of loan brokers by the securities commissioner. Requires a loan broker to be licensed. Requires an employee of a loan broker to be registered if the person engages in loan origination activities for a loan broker. Requires new licensees and registrants to receive at least 24 hours of academic instruction (or 12 hours for renewal

licensees or registrants) in order to be licensed or registered after December 31, 2000. Requires that a written instrument that transfers or assigns a mortgage must state the location and business address of the firm, person, limited liability company, or corporation to which the mortgage is transferred or assigned. Makes certain other changes. (47)

HB 2034**Author(s): Brown C; Becker; Budak; Crawford****Sponsor(s): Miller; Breaux; Rogers; Server****Citations Affected: IC 5-10; IC 12-17; IC 20-12; IC 27-8.****Effective: July 1, 1999.**

Coordination of insurance with state programs. Makes technical corrections in the infants and toddlers with disabilities program to conform to federal law. Adds two members to the interagency coordinating council to include a representative of a Head Start agency or program in Indiana and a representative of a state agency responsible for child care. Requires that the interagency coordinating council meet quarterly. (Current law requires at least four meetings per year.) Requires state employee health benefit plans, state educational institution employee health plans, and health insurance plans to reimburse the first steps program of the division of family and children for covered early intervention services provided under the program. Limits reimbursement to the first steps program to \$3,500 per year. Prohibits the amount reimbursed to the first steps program from applying to an annual or lifetime maximum benefit under a health plan. Allows the first steps program to pay required deductibles, copayments, or other out-of-pocket expenses for a first steps child directly to a provider. Requires a plan to apply any payments made by the first steps program to the plan's deductibles, copayments, or other out-of-pocket expense according to the terms and conditions of the plan. (97)

HB 2035

Author(s): Brown C; Becker

Sponsor(s): Miller; Simpson

Citations Affected: IC 12-15; IC 16; IC 20-8.1-7-9.5; IC 25-26-18; noncode.

Effective: Upon passage; July 1, 1999.

Various health matters. Requires a Medicaid managed care organization that covers outpatient single source legend drugs to follow certain procedures regarding the approval of a formulary by the drug utilization review board. Modifies the conditions for the drug utilization review board to place a single source drug on prior approval, restrict the drug's use, or establish a drug monitoring program. Adds two members to the drug utilization review board. Establishes procedures regarding conflicts of interests of members of the drug utilization review board. Establishes procedures regarding the approval of a Medicaid managed care organization's drug formulary or changes to the formulary. Allows the state department of health to develop an immunization data registry. Allows a provider to provide immunization data with a patient's consent. Provides that registry records are confidential. Allows a health provider to disclose health records to a hospital trade association for use in voluntary scientific, statistical, or educational projects with the state department of health. Provides that the provider may disclose the identity of a patient to the hospital trade association only when the disclosure is essential to the project. Provides that certain information is confidential. Allows the governing board of a hospital to dispose of personal property so long as the property's value does not exceed \$15,000. (Current law provides that the property's value may not exceed \$5,000.) Requires every child residing in Indiana to be immunized against mumps. Requires every child who enters kindergarten or grade 1 to be immunized against hepatitis B. Defines a mail order or Internet based pharmacy. Requires a mail order or Internet based pharmacy to comply with the licensure laws of the state in which the pharmacy is domiciled and the drug substitution laws of Indiana. (98)

HB 2041

Author(s): Fry; Ruppel

Sponsor(s): Server; Washington

Citations Affected: IC 2-3-3-2.5; IC 20-5; IC 21-2; noncode.

Effective: January 1, 1999; July 1, 1999.

Political subdivision and state educational institution insurance programs. Requires a political subdivision or a state educational institution that employs a member of the general assembly to provide to the individual at all times during the individual's service as a member of the general assembly the same insurance and other benefits and at the same cost to the individual as is provided to the individual by the employer when the individual is not serving as a member of the general assembly. Requires a self-insurance program established or maintained by a school corporation for coverage of health care services for the school corporation's employees to provide for appeals to a review panel. Provides that contributions made by employers or employees for coverage of health care services must be deposited into a self-insurance fund and may not be transferred to other accounts or used for any other purpose. (97)

HB 2043

Author(s): Fry; Smith; M

Sponsor(s): Paul; Harrison; Lanane

Citations Affected: IC 5-10; IC 27-6; IC 27-13; IC 34-18.

Effective: July 1, 1999.

Various insurance matters. Provides that a current or former member of the general assembly may choose to participate in a state employee health benefit plan or the self insurance plan established by the state police department. Requires a member of the general assembly who chooses the self insurance plan established by the state police department to pay the employer and employee share of the cost of the state police plan that exceeds the cost of the state

employee self insurance plan. Provides that a retired legislator who has served as a legislator for at least ten years and who meets certain other criteria for participation may obtain group health insurance if the retired legislator files a written request for the coverage within a certain time. Allows insurance agent prelicensing instruction to be accomplished through self-study. Revises the composition of the board of directors of the Indiana Insurance Guaranty Association. Adds certain credit for reinsurance and reinsurance in insolvency provisions. Provides that a named insured on a motor vehicle policy may reject uninsured and underinsured coverage for all named insureds. Adds a dependent child's incapability to self-sustain employment because of mental disability to the reasons that continue hospital and medical coverage to a child under certain insurance policies. Allows preexisting condition exclusions and limitations to be part of certain group policies of accident and sickness insurance for a fixed time period with respect to a disability that existed as of the effective date of the policy. Provides that a health maintenance organization may not discriminate against a provider acting within the scope of the provider's license or certificate on the basis of the provider's license or certificate. Specifies that the patient compensation fund surcharge for qualified providers other than physicians and hospitals may not exceed the actuarial risk posed to the fund by those qualified providers. Makes a conforming amendment to the medical malpractice act's settlement procedure by increasing the policy limit amount from \$100,000 to \$250,000. Establishes an interim study committee to study the Indiana Comprehensive Health Insurance Association. (97)

HB 2051

Author(s): Weinzapfel; Kruzan; Avery; Becker

Sponsor(s): Harrison; Server

Citations Affected: IC 20-8.1; IC 22-2.

Effective: July 1, 1999; January 1, 1999 (retroactive).

Child labor restrictions. Provides that the employer of a child who is at least 16 years of age and less than

18 years of age must have parental consent on file in the employer's office for the child to work: (1) up to 40 hours per week during school weeks; and (2) 48 hours per week during a nonschool week. Provides that a child who is at least 17 years of age and less than 18 years of age may work until 1 a.m. the following day on a night followed by a school day only if the child's employer has the consent of the child's parent on file in the employer's office and not more often than two nonconsecutive school nights a week. Provides for a warning letter for a first violation of child labor laws and for fines for subsequent violations. Provides that half of the money in the employment of youth fund shall be used each year for the purpose of education regarding child labor laws. Provides that half of the money in the employment of youth fund shall be used for the expenses of hiring and salaries of additional inspectors to enforce child labor laws. Provides that an employee of a seasonal amusement or recreational establishment, an organized camp, or a religious or nonprofit educational conference center that is exempt under the Fair Labor Standards Act who is covered by the Indiana minimum wage law is not entitled to overtime wages for a work week longer than 40 hours. Provides that an accredited school is authorized to issue employment certificates for students enrolled in the accredited school and the accredited school shall designate an issuing officer who is responsible for issuing employment certificates. Provides that a resident of Indiana under 18 years of age who does not attend an accredited school shall obtain the employment certificate from the school corporation in which the person resides or from an issuing officer designated by the school corporation in which the person resides. (96)

HB 2085

Author(s): Dvorak; Thompson

Sponsor(s): Craycraft; Zakas; Lanane

Citations Affected: IC 22-3; IC 22-4; IC 22-4.1.

Effective: July 1, 1999.

Workforce development and worker's compensation. Provides limited worker's compensation and worker's

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occupational disease coverage for unpaid student workers participating in school to work programs. Allows the worker's compensation board to make an annual assessment for the second injury fund if the board determines the assessment is necessary. Amends the date that employer contributions for unemployment compensation are due. Requires self-insured employers, insurance carriers, and third party administrators to report an injury to an employee to the worker's compensation board of Indiana by electronic data interchange by June 30, 2000, or with an approved implementation plan providing for the ability to report by electronic data interchange not later than December 31, 2000. Provides that an appeal of compensation due, continuance of payments, or the period for which compensation should be paid must be made to the worker's compensation board of Indiana within 30 days of the date of the award. Provides that applications to the worker's compensation board of Indiana for increased partial impairment are barred unless filed within one year from the last day for which compensation was paid. Provides for double computation for loss by separation for various body parts and for complete loss of an eye by enucleation. Allows the release of certain confidential information by the department of workforce development to the state department of revenue and law enforcement agencies for legitimate governmental purposes. Defines "legal process" for the purpose of withholding child support payments from unemployment compensation. Creates a state workforce development fund, and specifies the purposes for which funds may be disbursed from the fund. Requires the worker's compensation board to conduct an actuarial study to determine the unfunded liability of the second injury fund. (71)

SB 1

Author(s): Merritt; Antich; Blade

Sponsor(s): Kruzan; Torr

Citations Affected: IC 5-14.

Effective: July 1, 1999.

Public access counselor and complaint procedure. Creates the office of the public access counselor. Provides for the appointment of a public access counselor by the governor. Establishes an informal

inquiry and formal complaint procedure for the office of the public access counselor. Provides that the making of an informal inquiry or a formal complaint does not toll the running of any applicable statutes of limitation. Prohibits the public access counselor from issuing an advisory opinion concerning a matter that is in litigation. Requires a court to expedite the hearing of an action filed under the open door law (IC 5-14-1.5) or the public records law (IC 5-14-3). Requires, rather than permits, a court to award reasonable attorney's fees, court costs, and other reasonable expenses of litigation to a prevailing plaintiff. Provides, however, that a plaintiff is not eligible for attorney's fees, court costs, and other reasonable expenses if the plaintiff filed a civil action in without first seeking and receiving an informal inquiry response or advisory opinion from the public access counselor unless the plaintiff can show: (1) the filing of the civil action was necessary to prevent a violation of the open door law; or (2) the filing of the civil action was necessary because the denial of access to the public record would prevent the plaintiff from presenting that record to a public agency preparing to act on a matter or relevance to the public record whose disclosure was denied. Requires, rather than permits, a court to award reasonable attorney's fees, court costs, and other reasonable expenses of litigation to a prevailing defendant if the court finds that the action is frivolous or vexatious. Provides that when a civil action is filed under the open records law, the public agency must notify each person who supplies any part of the public record whether the denial was in compliance with an informal inquiry request or advisory opinion of the public access counselor. Provides that a court in determining whether to declare a policy, decision, or final action of a public agency void as a result of a violation of the open door law, may consider whether the plaintiff acted in compliance with an informal inquiry response or advisory opinion of the public access counselor. Provides immunity to an employee or official of a public agency who discloses confidential information in reliance on an advisory opinion issued by the public access counselor. Requires the public access counselor to submit a report to the legislative services agency not later than June 30 of each year concerning the activities of the counselor for the previous year. (87)

SB 2**Author(s): Jackman; Kenley****Sponsor(s): Klinker; Budak; Villalpando;
Kruzan; Duncan****Citations Affected: IC 31-30.****Effective: July 1, 1999.**

Custody modification. Allows a court in which a paternity or marriage dissolution action is filed to modify a child custody order when another court has juvenile jurisdiction over the child if the other juvenile court: (1) enters an order approving the custody modification; or (2) terminates its proceeding. (98)

SB 3**Author(s): Adams K****Sponsor(s): Brown C; Wolkins****Citations Affected: IC 25-23****Effective: Upon passage**

Professional licensure. Authorizes the state board of nursing to license by endorsement an applicant who has completed and achieved a passing score on the English version of the Canadian Nurse Association Testing Service Examination, is currently licensed as a registered nurse in a Canadian province or another state, and meets all other requirements for receiving a license to practice as a registered nurse under Indiana law. (101)

SB 4**Author(s): Lawson C; Long; Lanane****Sponsor(s): Crosby; Bottorff; Behning****Citations Affected: IC 26-1-9-402.****Effective: July 1, 1999.**

Secured transactions. Requires a consignee who receives a motor vehicle that has a value over \$500 under a consignment from a consignor who is not a merchant to: (1) notify the consignor of the filing requirements for protection of consignments; (2) provide the form required by the Uniform Commercial Code for filing; and (3) obtain the signature of the consignor on the consignment contract acknowledging the consignee's notification of the consignor of the filing requirements and the provision of the form to the consignor. Exempts a consignee if the consignee's creditors know the consignee is substantially engaged in the business of selling the goods of others. Provides for the electronic filing of financing statements. (94)

SB 6**Author(s): Simpson; Gard; Craycraft;
Howard; Riegsecker****Sponsor(s): Kruzan; Wolkins****Citations Affected: IC 13-11-2; IC 13-20-20;
IC 13-20-22-2I; IC 13-25-4.****Effective: July 1, 1999.**

Hazardous waste grant program. Requires the department of environmental management to provide financial assistance to local units of government and solid waste management districts through matching grants awarded for projects involving the collection, recycling, or disposal of: (1) household hazardous waste; and (2) waste generated by conditionally exempt small quantity generators. (Current law requires the department to provide grants only for collection and disposal projects involving household hazardous waste.) Provides that an additional source of funds for household hazardous waste collection and disposal project grants is the solid waste management fund. Extends the time from 12 months to 24 months in which collection and disposal projects must be completed. Increases from \$250,000 to \$450,000 the amount of money that is available each year from the hazardous substances response trust fund to provide collection and disposal project grants. Allows the solid waste management board to adopt rules concerning the household hazardous waste grant program instead of requiring the board to

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adopt rules. Amends the definition of household hazardous waste for purposes of the law concerning: (1) the household hazardous waste grant program; and (2) solid waste management districts. (69)

SB 7

Author(s): Simpson; Weatherwax

Sponsor(s): Cochran; Espich; Adams T; Frizzell

Citations Affected: IC 6-3-1-3.5; noncode.

Effective: January 1, 2000.

Income tax deduction for certain insurance premiums. Provides an adjusted gross income tax deduction to an individual equal to the premiums paid by the individual for certain insurance policies that cover long term health care expenses. Provides that the deduction may be claimed if the premiums are paid for the benefit of the individual or the individual's spouse, or both. Deletes an incorrect cross reference to an Indiana Code section. (44)

SB 9

Author(s): Simpson; Paul

Sponsor(s): Dvorak; Foley; Ulmer

Citations Affected: IC 30-4.

Effective: July 1, 1999.

Uniform Prudent Investor Act. Adopts the Uniform Prudent Investor Act. Requires a trustee to administer the trust prudently by exercising care, skill, and caution; by using the trustee's skills and expertise; by incurring only appropriate costs in investing assets; and by diversifying the investments of the trust. Requires the trustee to be loyal to the trust and to treat co-beneficiaries impartially. Allows the trustee to delegate investment and management functions to an agent if the trustee exercises reasonable care, skill, and caution in selecting an agent, in establishing the scope of the delegation, and in periodically reviewing the agent's actions. Creates

a duty between an agent and a beneficiary. Subjects an agent to the jurisdiction of Indiana if the agent accepts the delegation of investment and management functions of a trust subject to Indiana law. Makes conforming amendments. (100)

SB 10

Author(s): Simpson; Miller; Lawson C

Sponsor(s): Welch; Becker; Brown C; Crosby

Citations Affected: IC 16-18; IC 16-42.

Effective: July 1, 1999

Generic drug substitutions. Requires a legend drug be dispensed with the drug product specified on the prescription or drug order or by authorization of the practitioner. Requires a pharmacist who fills a prescription for a legend drug to comply with generic drug laws and drug regimen laws. Allows a hospital based pharmacist to fill a drug order for a legend drug according to the hospital's protocols. Specifies that a "generically equivalent drug product" means a multiple source drug product containing identical active ingredients. Prohibits dispensing a legend drug except as provided in the legend drug act. Requires that only generically equivalent drug products may be substituted under the generic drug laws. Adds advanced practice nurses to the definition of "practitioner" in the generic drug laws. Requires a pharmacist to inform a customer whenever a generic substitution is made. (97)

SB 19

Author(s): Craycraft; Landske; Long; Meeks C; Wyss

Sponsor(s): Adams T; Munson

Citations Affected: IC 36-7.

Effective: July 1, 1999.

Community revitalization enhancement districts. Allows two areas in Delaware County to be designated as community revitalization enhancement

districts. (Current law: (1) provides a credit against certain state and local tax liability for a taxpayer that makes an investment for the redevelopment of property located in a community revitalization enhancement district; and (2) provides that the incremental amount of state and local income taxes and state sales tax collected from a community revitalization enhancement district are distributed to the district for deposit in the district's industrial development fund. (73)

SB 24

Author(s): Server; Blade

Sponsor(s): Avery; Becker; Tincher

Citations Affected: IC 21-2; noncode.

Effective: July 1, 1999.

Capital improvements for schools. Allows not more than 5% of the levy for a school capital projects fund to be used for construction, repair, replacement, remodeling, or maintenance of school sports facilities. (44)

SB 26

Author(s): Wyss; Lewis

Sponsor(s): Moses; Saunders; Stevenson

Citations Affected: IC 22-13; IC 22-15; IC 36-7.

Effective: July 1, 1999.

Interpretive powers of state building commissioner. Gives the office of the state building commissioner the power to issue written interpretations of building laws upon the written request of a person that has a dispute with a county or a municipality regarding the interpretation of a building law. Provides that the interpretation binds the county or municipality and the person requesting the interpretation until the interpretation is overruled in a proceeding under the administrative adjudication act. Provides that the state building commissioner may make a written

interpretation binding on all counties and municipalities by publishing the interpretation in the Indiana Register. Provides that a published interpretation is binding until overruled by the general assembly, the fire prevention and building safety commission, a court, or the state building commissioner. Requires units of local government to comply with binding written interpretations of the state building commissioner. (101)

SB 28

Author(s): Bray; Alexa

Sponsor(s): Villalpando; Ayres

Citations Affected: IC 33-5; IC 33-8; IC 33-10.5; IC 33-14.

Effective: July 1, 1999.

Residency of court officers. Establishes a uniform requirement that a judge of a superior, probate, or county court be a resident of the judicial district that the judge serves, which affects judges in the following judicial districts: (1) Allen County; (2) Cass County; (3) Clay County; (4) Grant County; (5) Floyd County; (6) Howard County; (7) Hancock County; (8) Jasper County; (9) Kosciusko County; (10) Lake County; (11) Lawrence County; (12) Madison County; (13) Morgan County; (14) Ohio and Switzerland Counties; (15) Porter County; (16) St. Joseph County; (17) Tippecanoe County; (18) Vanderburgh County; (19) Vigo County; and (20) Wayne County. Requires a nominee for a vacancy on the Lake superior court or St. Joseph superior court to be a resident of the county. Specifies that a prosecuting attorney must be a resident of the judicial circuit that the prosecuting attorney serves. Exempts a current judge from the application of the residency requirement until the end of the judge's current term. (The introduced version of this bill was prepared by the commission on courts.) (51)

SB 32

Author(s): Wheeler; Lewis; Wolf; Jackman

Sponsor(s): Lytle; Dillon; Grubb;

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Richardson; Leuck; Cherry; Saunders

Citations Affected: IC 13-18; IC 36-2; IC 36-5; IC 36-9.

Effective: July 1, 1999; January 1, 2000.

Drainage law duties of county surveyors. Allows registered surveyors to prepare plans for certain sanitary sewers. Increases the fee for each deed the county recorder records. Requires that a survey to incorporate a town must be certified by a surveyor. Removes an engineer's authority to certify the survey. Requires a county surveyor who is not registered as a land surveyor or professional engineer to employ a person registered as a land surveyor or professional engineer to perform the drainage job functions of a county surveyor that require a registered land surveyor or professional engineer. Provides that if a county full-time employee is a registered land surveyor or professional engineer and the county surveyor is not registered as a land surveyor or professional engineer, the drainage board may designate the employee to perform the functions of the county surveyor that are allowed under the employee's land surveyor's or professional engineer's license. Allows drain construction contracts that are not more than \$75,000 to be awarded without certain bidding and contract restrictions. Specifies the procedures for county surveyor to approve plans and hydraulic data for certain regulated drains. (94)

SB 38

Author(s): Kenley

Sponsor(s): Brown C; Becker

Citations Affected: IC 16-19; IC 35-42.

Effective: July 1, 1999.

Body piercing. Requires the executive board of the state department of health to adopt rules to regulate the sanitary operation of body piercing facilities. Makes it a Class A misdemeanor to perform body piercing on a minor unless the minor's parent or legal guardian is present and provides written permission. Exempts earlobe piercing. Exempts an act of a licensed health care professional when the act is

performed in the course of the professional's practice. Allows a local governmental unit to adopt an ordinance that is at least as restrictive as the body piercing and tattooing law. (101)

SB 40

Author(s): Kenley; Smith; Landske

Sponsor(s): Kuzman; Foley

Citations Affected: Numerous provisions throughout the Indiana Code.

Effective: July 1, 1998; July 1, 1998 (retroactive); upon passage; January 1, 2000; March 1, 2001; January 1, 2002.

Technical corrections. Makes numerous technical corrections throughout the Indiana Code. Reconciles conflicting sections amended during the 1998 legislative session. (The introduced version of this bill was prepared by the Code Revision Commission.) (93)

SB 44

Author(s): Ford; Bray; Long; Bowser; Antich; Miller; Lanane; Young R; Zakas; Clark; Landske

Sponsor(s): Villalpando; Dvorak; Ayres; Summers; Budak; Richardson

Citations Affected: IC 33-14-10; IC 35-33-12; IC 35-40.

Effective: July 1, 1999.

Victim rights. Provides statutory implementation of the victim rights amendment to Article 1, Section 13 of the Constitution of the State of Indiana. Outlines the rights of victims, including the right to be notified of and to be present at hearings concerning the accused and to make statements at sentencing hearings. Repeals and replaces the existing statutes concerning victim assistance programs and victim notification. (69)

SB 47

Author(s): Meeks R; Alexa; Bowser

Sponsor(s): Villalpando; Ayres

Citations Affected: IC 11-12-6; C 35-38.

Effective: Upon passage; July 1, 1999.

Community corrections programs/misdemeanants. Establishes a county misdemeanor fund in each county. Provides a formula for the distribution of money to each county for deposit in the county misdemeanor fund. Repeals provisions requiring: (1) the department of correction to pay a per diem to counties for certain misdemeanor confined in a county jail; (2) a county legislative body to establish a county corrections fund; and (3) a county legislative body to make an election concerning the level of funding that the county will receive from the state for local correctional facilities. Provides that the law concerning direct placement in community corrections programs applies to the sentencing of a person convicted of a misdemeanor whenever any part of the person's sentence may not be suspended. Makes other related changes. Makes technical corrections. (69)

SB 48

Author(s): Meeks R

Sponsor(s): Bischoff; Lytle; Mangus

Citations Affected: IC 14-22.

Effective: July 1, 1999.

Nonresident hunting and fishing license fees. Increases nonresident hunting, trapping, and fishing license fees. (2)

SB 63

Author(s): Landske

Sponsor(s): Kuzman; Stevenson; Fesko

Citations Affected: IC 13-11-2-108; IC 13-14-8-11.6.

Effective: Upon passage.

National Pollutant Discharge Elimination System (NPDES) permit. Specifies that a discharger is not required to obtain a state permit for the modification or construction of a water pollution treatment facility if the discharger has an effective: (1) NPDES industrial permit; or (2) industrial waste pretreatment permit not issued by the department of environmental management for discharges to a publicly owned treatment works. Requires the discharger to file a notice of installation for certain equipment and a design summary of certain modifications not later than 30 days after beginning operation. Requires the water pollution control board to adopt a general permit rule for the approval of certain plans. (13)

SB 66

Author(s): Riegsecker; Gard; Adams; Ford

Sponsor(s): Kuzman; Wolkins

Citations Affected: IC 13-23-10-10; IC 13-23-14-3; noncode.

Effective: Upon passage.

Underground storage tanks. Allows the Indiana development finance authority to use money in the underground storage tank guaranty fund to award grants to certain underground storage tank owners and operators who closed or removed underground storage tanks after December 31, 1997, and before July 1, 1998. Transfers \$120,000 from the underground petroleum storage tank excess liability trust fund to the underground storage tank guaranty fund to be used by the Indiana development finance authority to award grants to these underground storage tank owners and operators. Requires the auditor of state to transfer any money remaining in the underground storage tank guaranty fund on July 1, 2000, to the underground petroleum storage tank excess liability trust fund. Provides that a person is not subject to the civil penalty for violation of an underground storage tank standard if: (1) the tank is

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on a brownfield; (2) the person was not the owner or operator of the tank when the violation first occurred; (3) the person does not dispense a regulated substance into or from the tank; and (4) the tank is brought into compliance within one year after the person acquired the property. (69)

SB 76

Author(s): Meeks R

Sponsor(s): Sturtz; Wolkins

Citations Affected: IC 16-41.

Effective: Upon passage.

Septic system installation on plats. Provides that the adoption of a rule by the state board of health may not prohibit the installation of certain residential septic systems in Kosciusko County. (2)

SB 81

Author(s): Zakas; Riegsecker; Adams K; Meeks R

Sponsor(s): Ulmer; Fry; Mock; Mangus

Citations Affected: IC 6-9-19

Effective: July 1, 1999.

Elkhart County innkeeper's tax. Deletes the requirement that hotels or motels managed by certain members of the innkeeper's tax commission in Elkhart County must have banquet facilities, a restaurant, and a lounge in one complex under common ownership. (44)

SB 83

Author(s): Wheeler; Lewis; Wolf; Meeks R

Sponsor(s): Lytle; Dillon; Richardson

Citations Affected: IC 13-18; IC 36-9.

Effective: Upon passage; July 1, 1999.

Ground water quality and stormwater runoff from developed real property. Requires the water pollution control board to adopt rules establishing groundwater quality standards that include numeric and narrative criteria, a groundwater classification plan, and a method of determining where the groundwater quality standards must apply. Requires counties and municipalities to establish a policy by January 1, 2001, for the management of stormwater runoff from developed real property. Provides that the policy may, but is not required to, provide for the actual management of stormwater runoff. Establishes the geographic scope that a policy must cover. (2)

SB 84

Author(s): Wheeler

Sponsor(s): Fry; Smith m

Citations Affected: IC 27-1.

Effective: July 1, 1999.

Insurance rates for returning drivers. Prohibits a motor vehicle insurer from discriminating in establishing a rate for an individual policyholder or applicant based solely on the absence of insurance by the applicant or policyholder. (100)

SB 85

Author(s): Wheeler; Meeks R; Meeks C

Sponsor(s): Sturtz; Dillon

Citations Affected: IC 11-12-5-6

Effective: Upon passage.

County jail inmate medical costs. Provides that the medical care expenses of a person committed to a county jail by another county are the responsibility of the committing county. Provides that the medical

care expenses of a person committed to a county jail by the department of correction are the responsibility of the department of correction. (44)

SB 94

Author(s): Kenley; Alexa

Sponsor(s): Dvorak; Bosma; Frenz

Citations Affected: IC 34-6; IC 34-13.

Effective: December 31, 1998 (retroactive).

Governmental immunity for Y2K computer errors. Grants immunity to the state of Indiana, a political subdivision, and any employee of the state or a political subdivision from tort liability that is caused by an error resulting from or caused by a failure to recognize the year 1999, 2000, or a subsequent year, including an incorrect date or incorrect mechanical or electronic interpretation of a date that is produced, calculated, or generated by a computer, an information system, or equipment using microchips. Indicates that a physician who is employed by a governmental entity has immunity for these computer errors. Provides that the immunity expires on June 30, 2003. (51)

SB 96

Author(s): Kenley

Sponsor(s): Dvorak; Young D

Citations Affected: IC 31; IC 35.

Effective: July 1, 1999.

Criminal law and corrections. Provides that a rebuttable presumption that a court shall limit the noncustodial parent's visitation with the child to supervised visitation for a specified period is created if the court finds that a noncustodial parent has been convicted of a domestic battery that was witnessed or heard by the noncustodial parent's child. Enhances the penalty for trafficking with an inmate from a Class A misdemeanor to a Class C felony when the article delivered, carried, or received by the inmate is

a controlled substance or a deadly weapon. Requires that credit time earned for completion of an educational, a vocational, or a substance abuse program may be subtracted from the release date that would otherwise apply to an inmate only if a portion of the program is completed after June 30, 1999. (51)

SB 98

Author(s): Meeks R; Lewis; Howard

Sponsor(s): Bischoff; Alderman; Kuzman

Citations Affected: IC 7.1-3.

Effective: July 1, 1999.

Sampling alcoholic beverages. Provides that alcoholic beverage retailers may allow customers to sample limited quantities of wines (if the retailer holds a two-way permit) or wines, liquors, liqueurs, and cordials (if the retailer holds a three-way permit) on the retailer's premises and during regular business hours. Provides that package liquor stores may allow customers to sample limited quantities of liquors at the store during regular business hours. (2)

SB 109

Author(s): Lawson C

Sponsor(s): Kromkowski; Whetstone; Crosby

Citations Affected: IC 3-5-2; IC 3-6; IC 3-7; IC 3-8; IC 3-9; IC 3-10; IC 3-11; IC 3-11.5; IC 3-12; IC 3-13; IC 3-14; IC 4-5; IC 4-7; IC 4-8.1; IC 5-4; IC 5-6; IC 20-4; IC 33-2.1; IC 33-5; IC 33-16; IC 36-1; noncode.

Effective: July 1, 1997 (retroactive); January 1, 1998 (retroactive); November 3, 1998 (retroactive); December 1, 1998 (retroactive); January 1, 1999 (retroactive); April 23, 1999; (retroactive) upon passage; July 1, 1999.

Various elections matters. Makes the following changes in election law: (1) Amends certain

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definitions relating to campaign finance. (2) Changes the name and certain provisions relating to employees of the Lake County combined county election board and board of registration. Provides that the board may hire attorneys to provide legal services for the board. (3) Makes various changes in the appointment and duties of precinct election officers, including permitting certain precinct election officers to serve for a half day. (4) Makes various changes relating to voter registration procedures. (5) Makes several changes in procedures for certification of election results and for election recounts, challenges, and contests. (6) Makes changes relating to declaration of candidacy for judicial offices. (7) Makes changes relating to disbanding of the political committees, including provisions for administrative disbanding of committees. (8) Defines when a political contribution is considered received by a political committee. (9) Makes changes relating to filing of campaign finance reports. (10) Makes changes relating to the formatting, testing, and handling of certain kinds of ballot systems. (11) Makes changes relating to the ability of a voter to vote in the precinct from which the voter moved. (12) Establishes the state recount fund to receive, hold, and pay expenses relating to recounts, challenges, and contests. Appropriates sufficient funds to pay for expenses relating to election recounts, challenges, and contests. (13) Requires a candidate vacancy on a general election ballot for certain offices to be filled not later than 35 days after a primary election. (Under current law, the vacancy must be filled not later than August 1, which would still be the case for most local offices.) Provides that a candidate vacancy that occurs due to the withdrawal of a candidate may be filled not later than 30 days after the vacancy occurs, regardless of the reason the candidate has withdrawn. (Under current law, a candidate vacancy that occurs because of the death of a candidate, withdrawal of a candidate who has moved from the election district, disqualification of a candidate, or under certain judicial orders may be filled not later than 30 days after the vacancy occurs.) (14) Provides that a criminal statute providing penalties for certain actions to influence a voter applies to the same actions intended to influence a candidate. (15) Makes changes relating to taking and filing oaths of office. (16) Provides that an appointed deputy of an officer of a political subdivision or a judicial circuit does not hold a lucrative office. (17) Removes a term limit provision in the statute relating to the Hammond school board. (18) Repeals obsolete statutes. (19)

Makes other technical changes. (75)

SB 113

Author(s): Breaux; Miller; Young R; Craycraft; Riegsecker

Sponsor(s): Crawford; Brown c

Citations Affected: IC 16-18; IC 16-41-19.5

Effective: July 1, 1999.

Post-organ transplant maintenance drugs. Establishes the post-organ transplant program within the state department of health. Establishes post-organ transplant program fund to pay for the costs of immunosuppressive drugs of eligible transplant recipients that: (1) are not paid by other entities; and (2) meet the criteria established by the state department of health. (77)

SB 124

Author(s): Miller; Craycraft

Sponsor(s): Tincher; Brown T; Crosby

Citations Affected: IC 25-23.6.

Effective: July 1, 1999.

Exceptions to licensure requirements for certain employees. Provides that an individual who is employed by certain state government agencies in certain job classifications is exempted from having to obtain a license as a social worker, clinical social worker, or mental health counselor for as long as the individual remains in the same job classification or job family of that job classification. (98)

SB 125

Author(s): Miller; Craycraft; Meeks R; Howard; Zakas

Sponsor(s): Crawford; Goeglein; Buck; Kruse

Citations Affected: Noncode.

Effective: Upon passage.

Traumatic brain injury waiver. Requires the office of Medicaid policy and planning to seek a home and community based services traumatic brain injury waiver. Requires the office of Medicaid policy and planning to apply for an amendment to the federal waiver if any of the specified services, the eligibility requirements, or the number of traumatic brain injury individuals to be served by the waiver is different in the approved waiver from those specified in this act. (77)

SB 126

Author(s): Miller; Breaux; Gard; Rogers; Simpson; Craycraft; Wyss; Wolf; Antich; Zakas

Sponsor(s): Fry; Becker

Citations Affected: IC 5-10; IC 27-8; IC 27-13; noncode.

Effective: July 1, 1999.

Coverage for breast and prostate cancer screening. Requires group insurance for public employees, group insurers, and health maintenance organizations to provide the following: (1) Annual prostate specific antigen screening to a man who is at least 50 years of age or who is at high risk for prostate cancer as determined in accordance with the most recent guidelines of the American Cancer Society. (2) An annual mammography to a woman at risk who is less than 40 years old. (3) An annual mammography to a woman who is at least 40 years of age. Requires group insurance for public employees, group insurers, and health maintenance organizations to provide for additional mammography views necessary for a physician to make a proper evaluation and for ultrasound services if those services are determined to be medically necessary by the insured's or enrollee's treating physician. Provides that insurers must offer to provide coverage for breast and prostate cancer screenings in cases of insurance policies that are not employer based. (97)

SB 130

Author(s): Miller; Craycraft

Sponsor(s): Brown C; Frizzell

Citations Affected: IC 25-19.

Effective: Upon passage.

Board of health facility administrators. Increases from six to eight the number of members of the Indiana state board of health facility administrators who must be present at a meeting to constitute a quorum of the board. Increases from two to three the number of health facility administrator members on the board who must be present to constitute a quorum of the board. (Reflects the change made during the 1998 legislative session increasing the overall membership on the board from 11 to 14.) (88)

SB 133

Author(s): Miller

Sponsor(s): Brown C; Goeglein; Hasler

Citations Affected: IC 12-15.

Effective: July 1, 1999.

Medicaid physician services. Extends for two years a statute requiring that, under the Medicaid primary care case management program, physician services provided to a program enrollee in a hospital emergency department must be at a rate of 100% of rates payable under the Medicaid fee structure, if the service is authorized by the enrollee's primary medical provider. Provides that the office of Medicaid policy and planning has a lien against a person who is liable for damages allegedly caused by the person to another person in the amount paid by the office to the extent of the person's liability for the medical expenses. (88)

SB 138

Author(s): Meeks R

Sponsor(s): Klinker; Scholer

Citations Affected: IC 24-5.

Effective: Upon passage.

Authority to claim doctorate degree or title. Provides that certain professional boards in Indiana may authorize an individual to claim to have a doctorate degree or to use a title associated with a doctorate degree. Provides that an individual may not claim to be a physician unless the individual holds an unlimited license to practice medicine or a chiropractic physician unless the individual holds a limited license as a chiropractor. (44)

SB 150

Author(s): Wyss; Craycraft; Alting; Meeks C; Waterman; Ford; Zakas

Sponsor(s): Kuzman; Alderman; McClain

Citations Affected: IC 6-1.1-12; noncode.

Effective: March 1, 1999 (retroactive); March 1, 2001.

Property tax deductions for disabled veterans. Allows a disabled veteran to qualify for certain property tax deductions if the veteran's disability is evidenced by: (1) a pension certificate, an award of compensation, or a disability compensation check issued by the United States Department of Veterans Affairs; or (2) a certificate of eligibility issued to the veteran by the Indiana department of veterans' affairs after the Indiana department of veterans' affairs has determined that the veteran's disability qualifies the veteran to receive a deduction. (Current law does not allow a veteran's disability to be evidenced by a certificate of eligibility issued by the Indiana department of veterans' affairs.) (The introduced version of this bill was prepared by the military and veterans affairs commission.) (69)

SB 154

Author(s): Gard; ; Landske; Hume; Blade;

Sponsor(s): Kuzman; Cherry

Citations Affected: IC 10-8; noncode.

Effective: July 1, 1999.

Transportation of high level radioactive waste. Requires a person who wishes to transport high level radioactive waste in Indiana to submit to the director of the state emergency management agency: (1) a notice that includes the highway or railway route, date, and time of the shipment of high level radioactive waste and certain other information required under federal law; and (2) a transportation fee of \$1,000 for each total shipment of nuclear waste. Specifies that transportation fees are deposited in the nuclear response fund to provide appropriate education, training, and equipment to local emergency management agency personnel in counties that will be affected by the transportation of high level radioactive waste. Requires the director of the state emergency management agency to consult with: (1) the state health commissioner of the state department of health; (2) the commissioner of the Indiana department of transportation; (3) the commissioner of the department of environmental management; (4) the director of the department of natural resources; (5) the superintendent of the state police department; (6) representatives of the United States Nuclear Regulatory Commission, Federal Emergency Management Agency, United States Department of Energy, and United States Department of Transportation; and (7) a representative of a local emergency management agency to prepare a plan for emergency response to a high level radioactive waste transportation accident in Indiana. Allows the director of the state emergency management agency to require preferred highway routes for transporting high level radioactive waste in Indiana under certain circumstances. Requires the director of the state emergency management agency to prepare before July 1, 2000, the initial plan for emergency response to a high level radioactive waste transportation accident in Indiana. (78)

SB 165

Author(s): Alexa; Meeks R; Bowser

Sponsor(s): Villalpando; Ayres

Citations Affected: IC 35-47-4.

Effective: July 1, 1999.

Serious violent felons and firearms. Makes possession of a firearm by a serious violent felon a Class B felony. Repeals the current law concerning the possession of certain firearms by a person convicted of a felony. (69)

SB 166

Author(s): Gard

Sponsor(s): Mellinger; Cherry

Citations Affected: IC 6-3.5; Noncode.

Effective: Upon passage.

CEDIT revenue for library property tax replacement. Allows Hancock County to use county economic development income tax revenue for purposes of replacing public library property taxes. Provides that the county council may not designate for library property tax replacement purposes any county economic development income tax revenue that is generated by a tax rate of more than 0.15%. (73)

SB 167

Author(s): Long; Gard; Antich; Bowser; Mock

Sponsor(s): Pelath; Stevenson; Alderman; Espich

Citations Affected: IC 36-4; noncode

Effective: July 1, 1999.

Terms and conditions of annexations. Requires

(rather than allows) municipalities to include certain terms and conditions in an annexation ordinance. Requires (rather than allows) municipalities to impound certain property taxes collected from annexed territory. Requires the impounded taxes to be used to provide additional services not specified in the annexation plan. Requires the appointment of an advisory board to advise the municipality on the provision of services to the annexed area. Provides that a municipality: (1) that adopts an annexation ordinance before July 1, 1999; (2) that proves the establishment of a fiscal plan before July 1, 1999; and (3) whose annexation ordinance is effective after July 1, 1999, is not required to amend its ordinance or fiscal plan but is required to: (1) create terms and conditions of the annexation fairly calculated to make the annexation equitable to the property owners and residents of the municipality and the annexed territory; and (2) with regard to territory that meets certain population and subdivision requirements, impound in a special fund all of the municipal property taxes imposed on the annexed territory for at least three years after the annexation takes effect. Provides that if a municipality attempts unsuccessfully to annex territory, the municipality may not make further attempts to annex the territory for four years. (Current law provides that if a municipality attempts unsuccessfully to annex territory, the municipality may not make further attempts to annex the territory for two years.) Provides that a municipality shall hold a public hearing on an annexation not earlier than 60 days after the date the annexation ordinance is introduced. Provides that a municipality may adopt an annexation ordinance not earlier than 30 or not later than 60 days after the public hearing on the annexation. Provides that with regard to certain annexations, written notice of the annexation must be sent at least 60 days before the date of the public hearing by certified mail to the landowners in the territory proposed to be annexed. Specifies the information that must be included in the written notice sent to landowners in the area proposed to be annexed. Requires notice of the public hearing to be published at least 60 days before the hearing. Provides that for municipalities other than cities in St. Joseph County, a remonstrance petition must contain the signatures of at least 65% of the owners of land in the annexed territory or the owners of more than 75% of the assessed valuation of land in the annexed territory. (Current law provides that a remonstrance petition must contain the signatures of a majority of owners of land in the annexed territory

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or the owners of more than 75% in assessed valuation of the land in the annexed territory.) Provides that a remonstrance petition filed in an annexation by a city in St. Joseph County must contain the signatures of the majority of owners of land in the annexed territory or the owners of more than 75% in assessed valuation of the land in the annexed territory. Extends the period for filing a remonstrance from 60 days to 90 days. Requires a court to order an annexation not to take place if certain requirements are met. (Under current law, the court may order an annexation not to take place only if these requirements are met in an annexation by a city in St. Joseph County.) Specifies that a municipality must adopt a written fiscal plan for certain annexations. Specifies additional information that must be included in the fiscal plan. Removes a requirement currently in the law that the fiscal plan include the plan for hiring the employees of other governmental entities whose jobs will be eliminated by the proposed annexation. Provides that all municipalities must provide noncapital and capital services to an annexed area that are equivalent to services provided within the municipality regardless of similar topography, patterns of land use, and population density. (Current law requires municipalities other than cities in St. Joseph County to provide services to the annexed area that are equivalent to those services provided within the municipality that have similar topography, patterns of land use, and population density.) Provides that the secretary of state and township trustee must receive annexation and disannexation filings. (87)

SB 175

Author(s): Zakas; Craycraft

Sponsor(s): Kromkowski

Citations Affected: IC 3-8; IC 3-10.

Effective: January 1, 2000.

Town candidates. Changes the deadline from September to August for holding a town convention for the nomination of candidates for town offices. Changes the deadline from September to August for filing a declaration of candidacy or a certificate of nomination. Changes the deadline from October to September for a town election board to rule on the

validity of a declaration of candidacy, a petition of nomination, a certificate of nomination, or a declaration of intent to be a write-in candidate. Changes the deadline from August 1 to August 28 for filing a certification of candidates nominated for city or town office by convention. (101)

SB 177

Author(s): Long; Lanane

Sponsor(s): Bottorff; Grubb; Espich; Alderman

Citations Affected: IC 8-1; Noncode.

Effective: July 1, 1999.

IURC enforcement authority and rural telephone cooperative corporations. Provides that rural telephone cooperative corporations must annually designate and elect those officers the corporation considers necessary. Authorizes the Indiana utility regulatory commission to review specified aspects of a utility company that provides water or sewer service. Provides that if the commission finds that such a utility company has continued violations of Indiana law or commission orders or if a review of the utility company reveals that the utility company has severe deficiencies in its operations that the utility company has failed to remedy, the commission may order the sale of the utility company or the filing of an action for the appointment of a receiver for the utility company. Requires the regulatory flexibility committee to study and make any necessary recommendations to the general assembly regarding the commission's enforcement powers and the single rate tariff method of billing for utility service. (75)

SB 198

Author(s): Landske; Lubbers; Hume; Long; Zakas

Sponsor(s): Bauer; Espich; Kruse

Citations Affected: IC 6-3-1-3.5; noncode.

Effective: January 1, 1999 (retroactive).

Income tax deduction for elderly persons. Establishes an additional deduction of \$500 from adjusted gross income for taxpayers and their spouses who qualify for the federal deduction for the aged, subject to certain income limits. (44)

SB 201

Author(s): Borst

Sponsor(s): Grubb; Friend

Citations Affected: IC 15-2.1-18.

Effective: July 1, 1999.

Emergency animal health and health rules. Allows the governor, during a disease epidemic in another state, to prohibit the importation of animals or products derived from animals that would be injurious to the health of Indiana's citizens or animals. Provides that if the Indiana state board of animal health determines that a disease presents a definite health hazard: (1) the board may adopt emergency rules; and (2) the state veterinarian may issue emergency orders. Provides that if the board determines that a disease epidemic will result in a large number of dead animals, the board may adopt emergency rules concerning the disposal of dead animals. Allows the board, when an animal health emergency is declared, to: (1) use any funds appropriated to the board; and (2) request additional funds from the budget agency. (77)

SB 203

Author(s): Merritt; Long; Lawson C; Meeks R; Riegsecker

Sponsor(s): Villalpando; Dvorak; Foley; Young D

Citations Affected: Noncode.

Effective: July 1, 1999.

Juvenile and restorative justice study commission. Requests the legislative council to consider establishing a 13 member juvenile and restorative justice study commission. Requires the commission to study issues concerning juvenile law and the concept of restorative justice. Provides that the commission operates under the policies and procedures of the legislative council. (76)

SB 204

Author(s): Merritt

Sponsor(s): Kruzan

Citations Affected: IC 2-5; IC 4; IC 5.

Effective: Upon passage; July 1, 1999.

Internet notice of state meetings and bid lists; public records. Requires state agencies to provide electronic access to notices of public meetings and invitations to bid on contracts for public works and supplies. Provides that an electronic geographic information system that is produced from data gathered by the legislative services agency and processed using proprietary software is the work product of the legislative services agency for purposes of the public records law. (44)

SB 206

Author(s): Skillman; Lawson C; Jackman; Antich; Lewis

Sponsor(s): Lytle; Saunders; Stevenson

Citations Affected: IC 4-13; noncode.

Effective: July 1, 1999.

Location of state government offices. Defines "downtown" to refer to: (1) the central business district of a city, town, or township; (2) any commercial or mixed use area that has traditionally served as the retail service and communal focal point within a community; (3) an enterprise zone established under the Indiana Code; or (4) a brownfield revitalization zone established under the

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Indiana Code. Provides that the Indiana department of administration shall establish policy to encourage state agencies to locate leased and state constructed facilities in downtown areas. Provides that the policy established by the department may exempt certain agencies or activities from the policy. Provides that the policy established by the department shall focus on the following: (1) Local economic considerations. (2) The requirements of the agency. (3) Servicing client needs. (4) The availability of suitable space. (5) Competitiveness in the market place. (6) Ability to create positive impact on local small business. Provides that the policy established by the department may not encourage state agencies to locate leased and state constructed facilities in downtown areas if doing so would result in new or increased taxes to the citizens of Indiana. Requires the policy established by the department to give primary consideration to the restoration or reuse, or both of existing structures within a downtown area. Requires the policy established by the Indiana department of administration to give secondary consideration to state construction of facilities within a downtown area if the restoration or reuse of existing structures within a downtown area is not determined to be a reasonable alternative by the department. Requires the Indiana department of administration to establish policy to implement these provisions not later than January 1, 2000. Provides that not later than July 1 of each year, the Indiana department of administration shall report to the legislative council concerning the implementation of these provisions. Requires the Indiana department of administration to submit the department's first report to the legislative council not later than July 1, 2001. (87)

SB 210

Author(s): Craycraft; Meeks R; Mrvan

Sponsor(s): Adams; Munson

Citations Affected: IC 9-13; IC 9-21; IC 33-19.

Effective: July 1, 1999.

Merging for road construction zone. Amends definition of "worksite" to include certain lanes of a highway leading up to an area upon which construction or maintenance activity is being

performed on the highway. Provides that after being directed by a sign to merge into another lane because of a worksite, a person who drives a vehicle may not pass another vehicle within the posted no passing zone established by the Indiana department of transportation. Provides that a violation is a Class C infraction and may be subject to an additional fee. (71)

SB 217

Author(s): Wyss; Simpson; Skillman; Wheeler

Sponsor(s): GiaQuinta; Pond; Leuck; Klinker; Kruse

Citations Affected: IC 6-1.1; noncode.

Effective: January 1, 1998 (retroactive).

Homestead credit and certain assessed value deductions. Provides that in certain cases an individual owner remains eligible and does not have to file a new statement for certain assessed value deductions and the homestead credit even though other joint owners have been removed. (92)

SB 234

Author(s): Weatherwax; Kenley

Sponsor(s): Harris; McClain; Kruse

Citations Affected: IC 6-1.1; IC 6-2.5; noncode.

Effective: July 1, 1999; January 1, 2000.

Taxation of railroad car companies. Provides that the property taxes derived from indefinite-situs distributable property of railroad car companies shall be deposited in the state general fund, instead of the commuter rail service fund. Provides that 0.17% of state sales tax revenue shall be distributed to the commuter rail service fund. Grants railroad car companies a credit against indefinite-situs property tax liability for railroad car maintenance and

improvement expenditures made in Indiana. Provides that the credit is equal to the lesser of: (1) 25% of the qualified expenditures made by the taxpayer in the preceding calendar year; or (2) the taxpayer's total indefinite-situs property tax liability for the calendar year. Provides that the total amount of credits in a calendar year may not exceed \$2,800,000. (73)

SB 235

Author(s): Weatherwax; Rogers

Sponsor(s): Porter; Bosma

Citations Affected: IC 20-1; IC 20-8.1; IC 20-10.1; noncode.

Effective: July 1, 1999.

Educational standards. Establishes the education roundtable to make recommendations concerning education to the governor, superintendent of public instruction, general assembly, and Indiana state board of education. Transfers the duties of the state standards task force to the education roundtable. Throughout the state assessment program, replaces the concept of "proficiencies" with the concept of "academic standards". Provides that the Indiana state board of education may require participation in national or international assessments, establish voluntary Core 40 assessments, and establish voluntary grade 1 and grade 2 diagnostic reading assessments to promote reading competency by grade 3. Changes some benchmarks in the school corporation annual performance report. Requires the adoption of state academic standards for all grade levels that can be compared with national and international academic standards and that are clear, concise, and jargon free. Requires the distribution of these academic standards to parents of students. Requires science to be tested under the ISTEP program beginning in school year 2002-2003 and social studies to be tested beginning in school year 2003-2004. Requires the Indiana state board of education to obtain an independent evaluation of Indiana's academic standards and assessments that includes recommendations for improvement. Repeals the state standards task force law and makes conforming amendments. (71)

SB 247

Author(s): Simpson; Meeks R

Sponsor(s): Bauer; Espich; Buck

Citations Affected: IC 6-3-2-6; noncode.

Effective: January 1, 1999 (retroactive); July 1, 1999.

Renter's deduction. Increases the renter's deduction under the adjusted gross income tax from \$1,500 to \$2,000. (44)

SB 259

Author(s): Miller; Breaux; Simpson; Rogers; Howard

Sponsor(s): Crawford; Becker; Brown C; Frizzell; Murphy

Citations Affected: Noncode.

Effective: July 1, 1999.

Reimbursement of certain health centers. Provides that services provided by federally qualified health centers and rural health clinics are provided under Medicaid until June 30, 2001. Provides that each federally qualified health center continues to receive its total reasonable cost reimbursement rate for providing care to recipients of Medicaid. (Current federal law requires federally qualified health centers to receive 100% of their reasonable cost reimbursement rate.) Provides that each rural health clinic will continue to be reimbursed under a cost based methodology. (77)

SB 262

Author(s): Miller; Lubbers

Sponsor(s): Villalpando; Foley; Welch

Citations Affected: IC 16-18; IC 16-36; IC 35-43.

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Effective: July 1, 1999.

Out of hospital do not resuscitate orders. Provides for use of do not resuscitate orders for certain patients in locations other than acute care hospitals and certain other health facilities. Allows a patient with a terminal condition or a patient with a medical condition that would ultimately prevent cardiopulmonary resuscitation efforts from being successful to express the patient's wish that cardiopulmonary resuscitation not be undertaken if the patient's cardiac or pulmonary functions cease at a location other than an acute care hospital or health facility. Provides for revocation of an "out of hospital do not resuscitate declaration and order". Provides guidance and immunity for health care providers in caring for a patient with an executed "out of hospital do not resuscitate declaration and order". Establishes criminal penalties. (97)

SB 263

Author(s): Miller; Sipes; Howard

Sponsor(s): Brown C; Frizzell; Bardon

Citations Affected: Noncode.

Effective: Upon passage.

Moratorium on methadone clinics. Provides that the division of mental health may not grant specific approval to become a new methadone provider until July 1, 2001. Provides requirements under which the division of mental health may grant specific approval to be a new provider of methadone or similar drugs. Specifies the drugs for which distribution by a new methadone provider may not be approved. Provides that the Indiana board of pharmacy may not register an applicant who plans to distribute methadone or similar controlled substances. Requires the division of mental health to prepare an annual report concerning treatment offered by methadone providers. Requires that patient information as reported to a central registry established by the division of mental health be included in the division's annual report to the governor and the legislative council. Requires providers of methadone to submit information to the division of mental health based on a calendar year. Provides specific dates by which this

information must be submitted each year. Provides that failure to submit required information may result in suspension or termination of a provider's certification. (77)

SB 272

Author(s): Landske; Zakas

Sponsor(s): Brown C.; Fesko; Stevenson

Citations Affected: Noncode

Effective: July 1, 1999

Northwest Indiana Transportation. Changes the name of the northwest Indiana commuter rail and transportation study commission to the northwest Indiana transportation study commission. Extends the commission through November 1, 2001. Provides for the appointment of a vice chairperson. Adds the study of high speed rail service to the responsibilities of the commission. (94)

SB 274

Author(s): Landske

Sponsor(s): Villalpando; Richardson

Citations Affected: IC 3-8; IC 5-4; IC 33-5; IC 33-14.

Effective: Upon passage.

Residency of candidates. Makes changes concerning certain city court judges, including changes to the residency requirements and changes requiring that certain city court judges be attorneys. Requires a candidate for prosecuting attorney to be a resident of the judicial circuit that the person serves. (13)

SB 286

Author(s): Nugent; Mrvan; Gard; Howard

Sponsor(s): Bischoff; Hoffman

Citations Affected: IC 8-1; IC 36-8.

Effective: July 1, 1999.

Telephone services. Provides that 911 is the universal emergency telephone number. Requires a communication system established or operated by the state or a local government unit that is available to members of the public as a means to report an emergency and to request assistance to use 911 as the exclusive universal emergency telephone number. (94)

SB 289

Author(s): Miller

Sponsor(s): Pelath; Fry; Crosby; Becker; Goeglein

Citations Affected: IC 27-1.

Effective: July 1, 1999.

Health insurance claims recoding. Provides that for purposes of analyzing health care service claims, to recode means to change a code used on a claim for covered services to a different classification code. Requires the administrator or insurer to notify the provider and insured that the insurer or administrator has recoded the claim and to provide certain additional specified information. (97)

SB 290

Author(s): Miller

Sponsor(s): Welch; Brown T.

Citations Affected: IC 34-30.

Effective: July 1, 1999.

Hospital peer review. Defines "conflicted medical staff member" for purposes of hospital peer review. Provides that a professional health care provider is entitled to 1 appeal before the governing board of the hospital or a committee appointed by the governing

board. Provides that if a peer review committee may not be formed without appointing a conflicted medical staff member, the hospital shall appoint a professional health care provider who holds the same professional license as the provider under review and who is not a member of the hospital's medical staff. (97)

SB 292

Author(s): Miller; Meeks R; Meeks C; Wyss; Howard

Sponsor(s): Mahern; Buell; Steele; Dvorak

Citations Affected: IC 35-48.

Effective: July 1, 1999.

Manufacture of certain controlled substances. Requires a court to order restitution to cover the costs of an environmental cleanup incurred by a law enforcement agency as a result of conviction for certain offenses related to controlled substances. Provides that a person who possesses certain chemical reagents or precursors with the intent to manufacture methcathinone, methamphetamine, amphetamine, or phentermine commits a Class D felony. (88)

SB 293

Author(s): Miller; Craycraft; Alexa

Sponsor(s): Brown C; Dillon; Kruzan; Buell

Citations Affected: IC 5-14; IC 12-26; IC 16-18; IC 16-25; IC 16-27.

Effective: July 1, 1999.

Hospice licensing and approval. Establishes requirements for hospice licensure and approval. Provides that a hospice license or approval is valid for one year, with an annual fee of \$100. Provides for a provisional license or approval for a hospice program operating before September 1, 1999. Requires a survey by the state department of health (SDOH), in coordination with the office of Medicaid

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policy and planning, to determine whether a hospice should receive a license or approval. Requires the SDOH to provide recommendations to the general assembly regarding the frequency with which hospices should be surveyed. Makes it a Class A misdemeanor for a person to represent hospice services without a hospice license or approval. Requires the SDOH to establish and maintain a statewide, toll free number to receive complaints about hospice programs. Allows the SDOH to sanction a hospice under certain circumstances. Requires the owner or operator of a licensed or approved hospice program to obtain a limited criminal history of each employee and volunteer of the hospice program who will provide hospice services. Requires each licensed or approved hospice program to provide a written disclosure to each potential patient that includes specific information. Repeals optional certification of hospice providers by the SDOH. (88)

SB 295

Author(s): Borst

Sponsor(s): Bauer; Buell

Citations Affected: IC 4-31; IC 15-5; noncode.

Effective: Upon passage; July 1, 1999.

Indiana standardbred advisory board. Establishes the Indiana standardbred advisory board to replace the Indiana standardbred board of regulations. Transfers the current powers and duties of the Indiana standardbred board of regulations to the Indiana horse racing commission, and requires the commission to consider recommendations of the standardbred advisory board in carrying out those powers and duties. Requires the records and office of the standardbred advisory board to be located with the offices of the Indiana horse racing commission. (94)

SB 297

Author(s): Borst; Simpson; Long; Zakas

Sponsor(s): Bauer; Espich; Kruse

Citations Affected: IC 6-3-1-3.5; noncode.

Effective: January 1, 1999 (retroactive).

Income tax deductions for children. Increases the additional deduction from adjusted gross income for children from \$500 to \$1,500 and makes the deduction permanent. (44)

SB 306

Author(s): Riegsecker; Landske

Sponsor(s): Cook; Ulmer

Citations Affected: IC 8-22.

Effective: July 1, 1999; March 1, 2001.

Leases by airport authorities and boards. Extends from 10 to 15 years the term of a contract or lease that a board of aviation commissioners or an airport authority may enter into for the maintenance, operation, or use of the airport or a part of the airport. Extends from 20 to 40 years the initial term of a lease that a board of aviation commissioners or an airport authority may enter into for a parcel of airport land for a use connected with the operation and convenience of the airport. (87)

SB 307

Author(s): Clark; Simpson; Meeks R; Miller; Zakas; Lubbers; Kenley; Bowser

Sponsor(s): Porter; Kruzan; Atterholt; Young M; Bardon

Citations Affected: IC 6-3; IC 12-7; IC 12-10; IC 12-14; IC 12-15; IC 12-16; IC 12-17; IC 12-20; noncode.

Effective: January 1, 1998 (retroactive).

Exemption for Holocaust survivor settlement awards. Exempts from the Indiana individual adjusted gross income tax amounts received as a Holocaust settlement payment and included in an individual's adjusted gross income for federal income tax

purposes. Excludes a Holocaust victim's settlement payment from the eligibility considerations of the following programs: (1) AFDC. (2) Supplemental assistance for the blind, aged, and disabled. (3) Township poor relief. (4) Hospital care for the indigent. (5) Destitute children. (6) Medicaid. (7) Residential care assistance. (8) Energy assistance. (92)

SB 321**Author(s): Skillman; Alexa****Sponsor(s): Kruzan; Linder****Citations Affected: IC 5-14; IC 36-2.****Effective: July 1, 1999; January 1, 2000.**

Public records copying fees and uses. Provides that the actual cost that public agencies, other than state agencies, may charge for the certification, copying, or facsimile machine transmission of documents means the cost of paper and the per-page cost for the use of copying or facsimile equipment and may not include labor costs or overhead costs. Establishes fees that the county recorder shall charge bulk users for bulk form copies. Provides that a bulk user may charge a customer a fee for using bulk form copies but may not resell bulk form copies. Eliminates provisions establishing fees the county recorder must charge for furnishing typewritten copies of records and proofreading copies. (The introduced version of this bill was prepared by the interim study committee on state government issues.) (44)

SB 323**Author(s): Meeks R; Lutz****Sponsor(s): Cook; McClain****Citations Affected: IC 9-22; IC 9-23.****Effective: July 1, 1999.**

Various motor vehicle matters. Defines "flood damaged vehicle" as a vehicle that has been acquired by an insurance company as a part of a damage

settlement due to water damage or has been submerged in water and has sustained certain damage. Requires a dealer to file an affidavit regarding flood damage to a vehicle with the bureau of motor vehicles upon receiving the affidavit, rather than upon receiving the title, from the person who holds the certificate of title. Subjects a person filing a fraudulent affidavit regarding flood damage as a part of the sales or transfer procedure to a dealer to civil liability for damages incurred as a result of the fraudulent affidavit by a dealer subsequent purchaser or transferee of the title. Repeals the provision making it an unfair practice for a manufacturer or distributor to fail to supply to the state police the bumper height specifications of motor vehicles sold or distributed in the state. (96)

SB 326**Author(s): Meeks R****Sponsor(s): Cook****Citations Affected: IC 9-23.****Effective: July 1, 1999.**

Motor vehicle franchises. Provides for transactions involving the transfer of a new motor vehicle franchise by a franchisee. Provides for manufacturer or distributor approval of the transferee. Gives manufacturers and distributors a right of first refusal to acquire a franchise under certain circumstances. Prohibits manufacturers and distributors from certain unfair practices regarding new motor vehicle dealers, franchisors, and franchisees. (94)

SB 332**Author(s): Wheeler****Sponsor(s): Harris; McClain; Kruse****Citations Affected: IC 6-1.1; IC 36-9.****Effective: Upon passage.**

Cumulative township vehicle and building fund. Authorizes a township to establish a cumulative township vehicle and building fund for the

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acquisition of township vehicles or for various township building and property projects. Provides that the property tax rate for the fund may not exceed \$0.05 per \$100 of assessed valuation. Adjusts the maximum rate for property taxes due after 2001, when the definition of assessed value will change from 33 1/3% of true tax value to 100% of true tax value. Provides that for purposes of computing the property tax levy limit imposed on a township, the township's levy for a particular year includes the cumulative township vehicle and building fund levy for that year. (73)

SB 335

Author(s): Wheeler

Sponsor(s): Crooks; Lutz

Citations Affected: IC 8-3; IC 35-42; IC 35-43.

Effective: July 1, 1999.

Railroad trespass and vandalism. Expands criminal trespass as a Class A misdemeanor to include knowingly or intentionally: (1) traveling by train without certain authority or consent; and (2) riding on the outside of a train or inside of a passenger car, locomotive, or freight care without the railroad carrier's consent. Makes certain exceptions. Makes recklessly, knowingly, or intentionally vandalizing railroad property a Class D felony. Makes recklessly, knowingly, or intentionally vandalizing railroad property a Class C felony if another person suffers serious bodily injury. Makes recklessly, knowingly, or intentionally vandalizing railroad property a Class B felony if it results in the death of another person. (94)

SB 343

Author(s): Gard

Sponsor(s): Harris; Wolkins; Kuzman

Citations Affected: IC 13-11-2-72.5; IC 13-18; noncode.

Effective: Upon passage; July 1, 1999.

Water pollution control. Provides specific criteria that the water pollution control board must consider before adopting a rule to designate a waterbody as an outstanding state resource water or outstanding national resource water. Requires the commissioner of the department of environmental management to present information that supports the designation to the environmental quality service council and requires the environmental quality service council to recommend legislation to the general assembly concerning waterbody designations. Allows the department of environmental management to issue National Pollutant Discharge Elimination System permits that include alternate water quality based effluent limits that: (1) are based on receiving water flows associated with, or characteristic of, wet weather conditions of various degrees of duration and intensity; or (2) provide increased mass limitations for publicly owned treatment works that are capable of treating wastewater flows that exceed the design flow used to calculate normal water quality based effluent limits and thereby reduce the volume of discharge of wastewater from plant bypasses or combined sewer overflows. Provides that if any part of a rule adopted by the water pollution control board creates or changes water quality standards concerning antidegradation, sediment criteria, or biocriteria, that part of the rule may not take effect before July 1, 2000. (69)

SB 357

Author(s): Adams K; Weatherwax; Landske; Zakas

Sponsor(s): Bauer; Wolkins; Buck; Kruse; Frenz; GiaQuinta

Citations Affected: IC 6-1.1; noncode.

Effective: January 1, 2000.

Interstate commerce exemption for inventory tax. Provides that a manufacturer or processor that possesses property held for transshipment to an out-of-state destination may claim certain interstate commerce exemptions from the property tax imposed upon inventory if the manufacturer or processor is

able to show that the owner of the property would otherwise have been qualified for the exemption. Provides that the property tax exemption for certain property that is stored in Indiana for shipment to an out-of-state destination and is in its original package also applies to property that is not stored in its original package if packaging is not practical until receipt of a final customer order. (92)

SB 358

Author(s): Zakas; ; Alexa

Sponsor(s): Hasler; Becker

Citations Affected: IC 24-4.6; IC 25-34.1.

Effective: July 1, 1999.

Real estate agents; sale of certain property. Redefines certain terms used in the law governing real estate agency relationships. Provides that unless there is an agreement to the contrary, a licensee (formerly referred to as a "real estate broker" under current law) has an agency relationship with and represents a consumer that the licensee is working with. Provides that a licensee acting as a limited agent may disclose and provide property information to both a buyer and a seller. Describes the duties and obligations of a licensee, managing broker, and principal broker. Prohibits a subagency relationship in a real estate transaction. (100)

SB 392

Author(s): Skillman; Lewis

Sponsor(s): Oxley; Steele; Denbo; Yount

Citations Affected: Noncode.

Effective: Upon passage.

Solid waste landfill operations. Applies only to a landfill in Washington County. Prohibits operation of the landfill after November 1, 2002, unless the landfill meets certain design requirements. Requires the county to employ an independent consultant to determine whether the geology at the landfill site will

have a negative impact on the new design. Requires the landfill to conduct certain tests during 1999 and 2000. Requires the county to operate the landfill in compliance with all applicable permit conditions and rules relative to landfill operations, except for rule provisions associated with karst terrain. (78)

SB 397

Author(s): Gard

Sponsor(s): Sturtz; Wolkins

Citations Affected: IC 13-14; IC 13-27.

Effective: July 1, 1999.

Environmental rulemaking. Provides that a statement, policy, or guidance document of the department of environmental management does not take effect until 30 days after statement, policy, or guidance document is presented to the air pollution control board, water pollution control board, or the solid waste management board. (51)

SB 407

Author(s): Jackman

Sponsor(s): Leuck; Cherry

Citations Affected: IC 36-2.

Effective: July 1, 1999.

County animal disease control coordinator. Requires the county executive of each county to designate a county animal disease control emergency coordinator who is responsible for receiving information as to the policy of the state board of animal health on animal disease control matters. Requires the county animal disease control emergency coordinator to distribute information as directed by the state board of animal health. (94)

SB 429

Author(s): Gard; ; Simpson

Sponsor(s): Kruzan; Bosma

Citations Affected: IC 5-3-1; IC 5-22.

Effective: July 1, 1999.

Recycled materials purchasing preference. Provides that the recycled materials price preference for purchase of supplies by a governmental body must be set in rules adopted by the governmental body, in policies established by the purchasing agency, or in the solicitation. Requires the preference to be set to maximize the use of recycled materials when economically practical. Provides that the price preference may not exceed 15%. Removes statutory preferences that specify particular preference percentages and amounts of recycled materials. Provides Indiana small business a purchasing preference. Provides that a contract that contains a provision for escalation of the price of the contract may be renewed if the price escalation is computed using a commonly accepted index named in the contract or a formula set forth in the contract. (75)

SB 447

Author(s): Lawson C

Sponsor(s): GiaQuinta; Saunders; Richardson; Kruse

Citations Affected: IC 6-1.1-37-10; IC 26-1-6.1-102; IC 36-2-6-14.5.

Effective: July 1, 1999.

Local government fiscal matters. Changes the annual penalty date for delinquent property taxes. Allows the use of recognized express mail carriers for the payment of delinquent property taxes. Provides that a claimant for purposes of bulk sales may hold a claim for taxes due. Provides a specified date for certification of special assessments. (94)

SB 450

Author(s): Alting; Wyss; Paul Craycraft; Landske; Smith S; Waterman; Clark

Sponsor(s): Bailey; Scholer; Klinker

Citations Affected: IC 10-5-3-1.

Effective: January 1, 2000.

Grave markers for veterans. Increases the amount provided by a county from \$30 to not more than \$100 to cover the cost of setting a grave marker provided by the federal government for a person who served as a member of the armed forces of the United States. Requires a person who will set a grave marker to disclose to the person who is having the grave marker set: (1) the price of the least expensive installation procedure for setting the grave marker and what is included in that price; and (2) the prices of any other installation procedures or options that are available. (69)

SB 458

Author(s): Clark

Sponsor(s): Mahern; Smith m

Citations Affected: IC 27-1.

Effective: July 1, 1999.

Issuance of insurance with auto rentals. Exempts officers, employees, or representatives of motor vehicle rental companies who negotiate or solicit insurance incidental to a rental agreement from insurance agent's licensure requirements. (100)

SB 465

Author(s): Kenley; Lawson C; Wyss; Skillman; Zakas

Sponsor(s): Harris; Turner; Bauer; Espich; T. Adams; Avery; Bailey; Bardon; Bischoff; Bodiker

Citations Affected: IC 6-1.1; noncode.

Effective: January 1, 1999 (retroactive); July 1, 1999; March 2, 2001.

Assessed value deduction for elderly. Increases the assessed value deduction for the elderly from \$1,000 to \$2,000. Increases the income level to qualify for the deduction from \$20,000 to \$25,000. Increases the assessed value of the property that is eligible for the deduction from \$21,000 to \$23,000. Makes conforming changes to reflect the measurement of assessed value at 100% of true tax value (instead of 33 1/3% of true tax value) beginning in 2001. (58)

SB 466

Author(s): Alexa; Landske

Sponsor(s): Cook; Ayres; Kuzman; Ruppel

Citations Affected: Noncode.

Effective: July 1, 1999.

Kankakee River basin commission property transfer. Authorizes and directs the Kankakee River basin commission to convey certain real property in Porter County to Alvin W. Landfadt in exchange for a conveyance by Mr. Landfadt of other real property to the commission. (75)

SB 486

Author(s): Meeks R; Washington; Craycraft

Sponsor(s): Hasler; Scholer; Sturtz; Lutz; J

Citations Affected: IC 4-13.5; IC 4-13.6; IC 4-20.5; IC 4-21.5.

Effective: July 1, 1999.

Various administrative matters. Provides that a certificate of qualification for a contractor or a person performing professional services on a state public works project expires 27 months after the date of issuance. (Under current law, a certificate expires

15 months after issuance.) Requires a person that holds a certificate of qualification to notify the certification board of any material changes in information supplied in the application submitted to the board. Provides that energy cost savings contracts entered into by the state are administered by the Indiana department of administration rather than state agencies that occupy the facilities that benefit from the contracts. Provides that the rules adopted by the Indiana department of administration relating to enforcement of the department's traffic rules must include an administrative appeals process. Provides that the administrative adjudication act does not apply to the administrative appeals process for enforcement of the department's traffic rules. Provides that a person aggrieved by the imposition of a civil penalty for violation of the department's traffic rules may appeal to a court of jurisdiction. Provides that the attorney general may file an appropriate action to enforce imposition of a civil penalty for a traffic violation. Repeals superseded energy efficiency contract statutes. (75)

SB 487

Author(s): Meeks C

Sponsor(s): Mellinger; Ayres

Citations Affected: IC 11-10-12-2; IC 11-12-5-2.

Effective: July 1, 1999.

Inmate release. Allows the department of correction to procure public transportation for a released offender to the Indiana city or town that is nearest to the released offender's designated place of residence. Provides that a criminal offender is not entitled to receive a payment in lieu of transportation unless the department provides for the payment in its rules. Provides that a jail inmate may be released to work in a work party formed to do work for the benefit of the community. Allows the sheriff to require that a jail inmate may be required to wear a distinctive jail uniform when in a work party. (51)

SB 495

Author(s): Ford; Kenley; Skillman

Sponsor(s): Kruzan; Wolkins

Citations Affected: IC 13-11; IC 13-14; IC 13-19; noncode.

Effective: July 1, 1999.

Foundry sand. Allows a property owner to provide information to the department of environmental management in response to an inspection. Requires the department to review and consider the information, and append any written information to the inspection report and include written information in the public file. Permits the use of Type III foundry sand in a land application operation or for soil amendments. Requires the department of environmental management to develop a task force to develop guidance for the department on the use of foundry sand and on procedures for foundry sand characterization that address generator knowledge and testing requirements. (78)

SB 499

Author(s): Landske; Howard

Sponsor(s): Pelath; Tincher; Ayres

Citations Affected: IC 11-11-3-6.

Effective: July 1, 1999.

Publications sent to confined persons. Requires that books and periodical publications sent to persons confined in department of correction facilities must be mailed directly from the publisher, the distributor, or an accredited institution of higher learning unless the confined person or the sender receives prior approval from the superintendent to receive a book or periodical publication from another source. (69)

SB 502

Author(s): Lanane; Adams K

Sponsor(s): Sturtz; Duncan; Mellinger

Citations Affected: IC 13-18.

Effective: Upon passage.

Wastewater management. Allows the department of environmental management to determine the appropriate period for new and renewal wastewater permits, licenses, and approvals not to exceed three years. (Under current law, approval periods may not exceed one year.) Specifies that the commissioner or a designated staff person may revoke or modify a wastewater management permit, license, or approval under certain circumstances. (78)

SB 506

Author(s): Miller; Breaux

Sponsor(s): Brown C; Klinker; Brown T; Frizzell

Citations Affected: IC 25-2.5.

Effective: July 1, 1999.

Acupuncture licensing. Requires acupuncturist licenses to be renewed every two years. Requires acupuncturists to maintain current diplomate status with the National Certification Commission for Acupuncture and Oriental Medicine. Requires acupuncturists to have a written referral or diagnosis from a licensed physician before practicing acupuncture on a patient. Requires the Indiana medical licensing board to establish standards regarding the number of hours of education and experience an individual must possess to receive an acupuncturist license. Makes professing to be an acupuncturist without a license and the unlawful practice of acupuncture a Class B misdemeanor. Allows a licensed acupuncturist to practice auricular acupuncture on a patient for the purpose of treating alcoholism, substance abuse, or chemical dependency without a referral or diagnosis from a licensed physician. Allows individuals meeting certain standards to practice auricular acupuncture on patients for the purpose of treating alcoholism, chemical dependency, or substance abuse without a license. Establishes the acupuncture advisory

committee to the medical licensing board to make recommendations for licensing acupuncturists in Indiana. (100)

SB 507

Author(s): Landske; Miller

Sponsor(s): Hasler; Budak

Citations Affected: IC 35-48-3; noncode.

Effective: Upon passage; July 1, 2001.

Controlled substances. Provides that the law that would prohibit a physician from prescribing or otherwise providing: (1) any amphetamine, sympathomimetic amine drug, or compound designated as a Schedule III or Schedule IV controlled substance for purposes of weight reduction or to control obesity for a patient; and (2) for more than three nonrefillable 30 calendar day supplies in any 365 day period takes effect July 1, 2001, instead of July 1, 1999. (69)

SB 514

Author(s): Gard; Blade; Simpson; Zakas

Sponsor(s): Klinker; Buell; Crosby; Behning

Citations Affected: IC 4-4; IC 5-14; noncode.

Effective: July 1, 1999.

Twenty-first century research and technology fund. Establishes the Indiana twenty-first century research and technology fund for the purpose of providing grants or loans for economic development projects by Indiana higher education institutions, Indiana businesses, and Indiana nonprofit corporations and organizations. Establishes the Indiana twenty-first century research and technology fund board to develop specific criteria and make determinations with respect to grant applicants. Provides that grants and loans must be approved by the budget agency. Requires a report by the board on the success of the funding, including any findings or recommendations the board believes are pertinent. (44)

SB 525

Author(s): Simpson

Sponsor(s): Kuzman; Alderman

Citations Affected: IC 9-24-6-8; IC 9-30-5.

Effective: July 1, 1999; July 1, 2000.

Operating while intoxicated. Makes it a Class A misdemeanor for a person to operate a vehicle with at least 0.15% by weight of alcohol in the person's blood or breath. Requires a court to order a person who has been convicted of operating a vehicle while intoxicated: (1) to be imprisoned for at least five days or to perform at least 30 days of community service and, if appropriate, to successfully complete an alcohol or a drug abuse deterrent program if the person has one previous conviction of operating a vehicle while intoxicated; and (2) to be imprisoned for at least ten days or to perform at least 60 days of community service and, if appropriate, to successfully complete an alcohol or a drug abuse deterrent program if the person has at least two previous convictions of operating a vehicle while intoxicated. (69)

SB 527

Author(s): Miller

Sponsor(s): Klinker; Crawford; Becker

Citations Affected: IC 16-18; IC 16-21.

Effective: Upon passage.

Extended lengths of stay in acute care hospitals. Defines "extended length of stay" as a length of stay in an acute care hospital inpatient unit that exceeds 1 standard deviation of the hospital wide average length of stay. Defines "hospital purposes" to include the provision of acute care in a hospital inpatient unit to patients with extended lengths of stay. Provides that the board of directors of a hospital is responsible for establishing protocols for patients with extended lengths of stay. Defines "family" to include members of a religious order or society whose members live together and whose property is exempt from

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taxation. (97)

SB 533

Author(s): Server; Craycraft

Sponsor(s): Lytle; Mangus

Citations Affected: IC 14-34; IC 25-17.6; IC 34-30.

Effective: July 1, 1999.

Licensure of professional geologists. Changes the certification program for professional geologists to a licensure program. Makes conforming amendments. Revises qualifications for licensure as a professional geologist so that equal credit is given for geological work experience, whether performed in the private sector or for a governmental entity. Exempts from the requirements of licensure a soil scientist or soil classifier who is certified by the American Registry of Certified Professionals in Agronomy, Crops and Soils (ARCPACS) and the Indiana Association of Professional Soil Classifiers (IAPSC) and who applies geology in the practice of soil science. Makes it a Class B misdemeanor for a person to publicly practice geology or offer to publicly practice geology in Indiana without being licensed as a professional geologist. (101)

SB 539

Author(s): Kenley; Simpson

Sponsor(s): Lytle; Whetstone; Kuzman; Kruzan

Citations Affected: IC 8-4.5; IC 32-5.

Effective: July 1, 1999.

Transportation corridors. Removes all references to right-of-way in the transportation corridor planning article and replaces the references with the term corridor. Changes obsolete references from the Interstate Commerce Commission to the Surface Transportation Board. Changes the composition of the transportation corridor planning board to include

the director of the department of commerce or the director's designee. Makes the general acceptability of the proposed recreational use to the community at large a factor for the Indiana department of transportation to consider in determining whether to acquire part of a railway's interest in a corridor and for the board to use in reviewing applications. Indicates that a rail transportation operator and owner must consent before a rail corridor is used for both trail and rail transportation use. Provides that a responsible party may elect to establish an escrow account or post a bond as security that the responsible party will erect fences requested by adjacent property owners. Makes other related changes. (78)

SB 542

Author(s): Lawson C; Kenley; Breaux

Sponsor(s): Mahern; Mangus

Citations Affected: IC 4-13-1; IC 4-20.5.

Effective: July 1, 1999.

State real property. Provides that the Indiana department of administration may lease real or personal property owned by the state for a term of more than four years, but not more than ten years, if the commissioner of the department makes a written determination stating the reasons it is in the best interests of the state to enter into such a lease. Provides that a separate body corporate and politic may perform the functions assigned to the Indiana department of administration under the statute governing state real property with respect to real property the separate body holds in the name of the state. Provides that such a body may request that the Indiana department of administration perform those functions. Allows the Indiana department of administration to enter into a lease of real property with a term of more than four years, but not more than ten years, on behalf of an agency if the commissioner makes certain written determinations. Requires the Indiana department of administration to notify state universities and political subdivisions of the availability of surplus state real property available for acquisition at the same time the department notifies state agencies. Shortens from 60 days to 30 days the time during which a political

subdivision may notify the department of interest in acquiring surplus state real property. Authorizes the Indiana department of administration to transfer state real property to another person in exchange for like real property to settle a dispute involving any of the real property without first offering the property to other state agencies or at a public sale if the value of the state property does not exceed \$10,000. Allows the governing board of a hospital to dispose of personal property so long as the property's value does not exceed \$15,000. (Current law provides that the property's value may not exceed \$5,000.) Allows the department to grant an easement in state real property without money consideration and without the approval of the governor. Allows the department to enter into a real property transaction with the United States not otherwise specifically authorized by the statute. (75)

SB 545

Author(s): Server; Lutz L

Sponsor(s): Grubb; Linder

Citations Affected: IC 24-4.5; noncode.

Effective: July 1, 1999.

Consumer loan origination fees. Applies the loan origination fee of not more than two percent of the loan amount or line of credit to revolving and nonrevolving consumer loan accounts. (Current law applies the loan origination fee to a consumer loan that is primarily secured by an interest in land.) Provides that unsecured consumer loans are limited to an origination fee of 2% of the part of the loan that does not exceed \$2000. Allows a creditor that refinances a consumer loan during the first three months of the loan to charge an origination fee on the refinancing only on any new money advanced. Establishes a procedure that specifies when a creditor shall credit a payment to a consumer's account. Requires specific disclosures by a lender who solicits loans using a negotiable check, facsimile, or other negotiable instrument. (100)

SB 551

Author(s): Gard; Simpson

Sponsor(s): Sturtz; Mangus

Citations Affected: IC 5-1.5; IC 13-11-2; IC 13-18-21; noncode.

Effective: July 1, 1999.

Drinking water and wastewater loans. Adopts the federal definition of "public water system" for purposes of the statute governing the drinking water revolving loan fund (The federal law applies to water systems that provide water to the public for human consumption and have at least 15 service connections or regularly serve at least 25 individuals, regardless of whether the system is publicly or privately owned.) Provides that a public water system is a qualified entity for purposes of financial assistance under the bond bank statute. Permits the drinking water revolving loan fund to provide financial assistance to political subdivisions and public water systems (Current law provides that the fund may be used only to provide financial assistance to political subdivisions.) Combines the supplemental wastewater assistance fund and the supplemental drinking water assistance fund into a supplemental drinking water and wastewater assistance fund. (69)

SB 559

Author(s): Clark

Sponsor(s): Smith M; Herrell

Citations Affected: IC 27; noncode.

Effective: Upon passage; July 1, 1999.

Various insurance matters. Removes fees collected by the commissioner associated with the commissioner's duties as agent for service of process. Provides that certain persons who are issued limited insurance representative's licenses without examination are exempt from continuing education requirements. Provides that certain attorneys may meet insurance licensure continuing education

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requirements through continuing legal education courses. Provides that various insurers must appoint an individual or a corporate resident of Indiana, or an authorized Indiana insurer, as the insurer's agent for service of process. Makes certain changes to the composition of the board of directors of the Indiana insurance guaranty association. Removes the requirement that information concerning premiums and losses, jury awards, court awards, and negotiated settlements be filed with the annual financial statement of insurers selling certain lines of insurance. Changes the requirements for annual information filing with the National Association of Insurance Commissioners (NAIC) from diskette to electronic filings. Defines "exempt commercial policyholder" and "risk manager". Requires certain disclosures by risk managers to exempt commercial policyholders. Provides for the deregulation of exempt commercial policyholder insurance transactions. Provides that the commissioner will continue as agent for service of process until a different designation is received by the commissioner. (47)

SB 571

Author(s): Merritt

Sponsor(s): Bardon

Citations Affected: IC 23-18.

Effective: July 1, 1999.

Limited liability companies. Makes the following changes in the statutory regulation of limited liability companies that are formed after June 30, 1999 (unless the operating agreement provides otherwise): (1) Provides that if a limited liability company has more than one member, an assignee of an interest may become a member only if the other members unanimously consent. (2) Provides that if a limited liability company has only one member, an assignee of an interest may become a member in accordance with the terms of an agreement between the assignor and assignee. (3) Provides that a member may withdraw from a limited liability company only at the time or upon the occurrence of events specified and in accordance with the operating agreement. Makes changes to the specified circumstances when a limited liability company will dissolve and the

company's affairs must be wound up. Makes conforming amendments. (100)

SB 578

Author(s): Meeks C; Adams K

Sponsor(s): Sturtz; Mellinger; Lutz J; Torr

Citations Affected: IC 36-8.

Effective: July 1, 1999.

Appointments by sheriffs. Allows a sheriff in a county with a population of more than 50,000 to establish temporary administrative ranks and positions and appoint and remove county officers to the temporary positions without the approval of the sheriff's merit board. Provides that a county officer appointed to a temporary position must have served as a county officer in the county for at least five years before appointment. Provides that a county officer appointed to a temporary administrative position maintains the officer's rank, grade, or position. Requires a sheriff in a county with a population of more than 50,000 to establish written rules and regulations governing the discipline of county police officers with the approval of the merit board. Establishes seniority rules to be followed when a sheriff reduces the number of employees or fills vacancies after a reduction in force. (87)

SB 582

Author(s): Weatherwax

Sponsor(s): Grubb; Whetstone; Buck

Citations Affected: IC 26-3; IC 26-4.

Effective: July 1, 1999.

Grain buyers law. Makes the following changes to the agricultural commodities warehouse licensing law: (1) Adds popcorn and grain grown for use as seed to the definition of "grain". (2) Adds a person who buys grain to be used predominantly for seed to the definition of "grain buyer". (3) Adds a definition

of "seed" to the statute. (4) Changes references in the law from minimum net worth to minimum positive net worth. (5) Allows the director of the Indiana grain buyers and warehouse licensing agency to require certain grain buyers to show evidence of training or licensing on the risks associated with grain marketing practices. (6) Requires that all contracts executed after January 1, 2000, for production of seed include a specified notice regarding eligibility in the grain indemnity program. (98)

SB 584

Author(s): Lewis; Mills

Sponsor(s): Stilwell; Linder

Citations Affected: IC 8-1; IC 12-14-11.

Effective: Upon passage; July 1, 1999.

Utility regulatory commission jurisdiction; home energy assistance program. Gives the Indiana utility regulatory commission discretion to require a formal public hearing concerning a rate change request by a utility. Prohibits the commission from billing or collecting a public utility fee that equals \$50 or less under the current formula for calculating fees. Reconciles substantive and technical conflicts between statutes enacted by the 1997 general assembly concerning the jurisdiction of the Indiana utility regulatory commission over local water companies. Modifies terms used in the statute. Elaborates on the process for contesting procedures for withdrawal from commission jurisdiction and for petitioning to return to commission jurisdiction. Repeals obsolete definitions and makes conforming changes. Requires the division of family and children to consider an applicant's housing status when determining the amount of energy assistance to award the applicant under the home energy assistance program. Requires the division to give weight to the housing status of applicants in the following order of priority: (1) An applicant who resides in nonsubsidized housing. (2) An applicant who resides in subsidized housing in which home energy costs are not included in the rent. (3) An applicant who resides in subsidized housing in which home energy costs are included in the rent. Requires the division to annually evaluate the formula for

determining the amount of energy assistance benefit and to submit a report containing certain information to the legislative council by October 1 of each year, beginning in 2000. (75)

SB 592

Author(s): Bray; Waterman; Antich; Howard

Sponsor(s): Cochran; Dillon; Dvorak

Citations Affected: IC 34-24; IC 35-33.

Effective: July 1, 1999.

Disposition of seized property. Requires property seized under the law concerning forfeiture of property used in violation of certain criminal statutes to be transferred, upon motion of a prosecuting attorney, to the appropriate federal authority for disposition, subject to all perfected liens and other security interests, under federal laws concerning customs duties and drug abuse prevention and control. Requires the forfeiture sale proceeds that are returned by the federal government to a state or local law enforcement agency to be: (1) deposited into a nonreverting fund solely for the benefit of any agency participating in the seizure or forfeiture and used for purposes consistent with federal laws and regulations; and (2) expended only with the approval of: (A) the appropriate county executive, if the proceeds are received by a local law enforcement agency; or (B) the governor, if the proceeds are received by a law enforcement agency in the executive branch. Adds a relevant federal code cite to certain forfeiture provisions contained in the bill. (69)

SB 600

Author(s): Alexa; Bray

Sponsor(s): Villalpando; Foley; Dvorak; Ayres

Citations Affected: IC 2; IC 33

Effective: July 1, 1999.

Enactments - 1999

Courts and court officers. Allows a state legislator who is a party to an administrative adjudication to obtain a continuance from the presiding agency during the pendency of a session of the Indiana general assembly. Specifies that a judge or a prosecuting attorney is not required to provide on the annual statement of economic interest the names of close relatives from whom gifts valued at over \$100 have been received. Provides that a close relative is a person related to a person in a certain degree by blood, adoption, half-blood, marriage, or remarriage. (51)

SB 606

Author(s): Riegsecker; Gard; Sipes; Jackman; Craycraft; Smith; Miller

Sponsor(s): Klinker; Alderman; Ulmer; Herrell; Goeglein

Citations Affected: IC 1-1; IC 4-15; IC 5-1; IC 5-20; IC 12; IC 16-29; IC 16-39; IC 20-1; IC 34-30; noncode.

Effective: July 1, 1998; July 1, 1999.

Disability and rehabilitative services. Removes references to the New Castle State Developmental Center and the Northern Indiana State Developmental Center. Provides that the Indiana housing finance authority may allocate federal low income housing credits to a building providing housing for persons with disabilities even if the building is not "primarily" used to provide residential housing for persons with disabilities. Requires the authority to allocate the federal credits under this provision based on the proportionate amount of a qualified building that is used to provide residential housing for persons with disabilities. Relocates provisions within the Indiana Code governing the family support program and the funding requirements for centers for independent living. Revises the duties of the bureau of developmental disabilities services. Authorizes the adult protective services unit to use the prosecuting attorney to obtain a protective order. Establishes an ombudsman for persons with a developmental disability who receive waivers services. Requires the board of interpreter standards to adopt certain rules. Removes reference to state

owned children's facilities under the authority of the director of the division of family and children. Provides that an irrevocable trust, an irrevocable prepaid funeral agreement, or a life insurance policy that provides money for the burial of an individual may not be considered as a resource in determining the individual's eligibility for Medicaid if the value of the irrevocable trust, irrevocable prepaid funeral arrangement, or life insurance policy does not exceed \$10,000. (Current law exempts these instruments from consideration as a resource in determining an individual's eligibility for Medicaid if the value of the instrument does not exceed \$1,400.) Allows the statewide waiver ombudsman access to a patient's mental health records without the patient's consent. Makes numerous changes to transition services offered to disabled students who leave the special education program. Provides for a \$50 personal needs allowance. Provides that a participant in the assistance to residents of county homes program or the room, board, and assistance program may retain one-half of the person's employment income, minus certain deductions, regardless of whether the income is a result of a personal habilitation plan. Repeals existing provisions governing community residential programs, case management services, respite care, diagnostic assessment, rehabilitation services, the emergency support fund, and the family subsidy program. Adds duties to the Indiana commission on mental retardation and developmental disabilities. Extends the term of the commission until 2005. Makes conforming amendments. (77)

SB 619

Author(s): Johnson; Mrvan

Sponsor(s): Klinker; Scholer; Crosby

Citations Affected: IC 20-5; IC 20-10.1; IC 21-2.

Effective: January 1, 2000.

School corporation technology fund. Requires each school corporation to establish a school corporation technology fund. Provides that money appropriated from a school corporation general fund for technology purposes, plus grants, donations, and other funds received for technology purposes, must be deposited in the school corporation technology

fund. Provides that any savings realized by a school corporation as a result of federal legislation calling for universal service discounts must be deposited in the school corporation technology fund. Permits money in the school corporation technology fund to be used for certain technology purposes. Restricts use of money in the school corporation technology fund for administrative software. Requires each school corporation to update its technology plan every 3 years (under current law, the plan must be updated every 5 years). Requires each school corporation to file an annual report concerning technology expenditures with the superintendent of public instruction's special assistant for technology. Specifies that a school corporation's capital projects fund may be used for wiring and computer networks and communication access systems used to connect with computer networks or electronic gateways. Provides for travel and actual expenses for nonlegislative members of the educational technology council, and per diem, mileage, and travel expenses for legislative members of the council. (44)

SB 625

Author(s): Wheeler; Landske; Lewis; Wolf; Jackman

Sponsor(s): Leuck; Friend; Kruzan; Wolkins; Dillon; Young D; Buck; Crosby; Kruse

Citations Affected: IC 14-8; IC 14-32.

Effective: July 1, 1999.

Conservation district clean water program. Establishes the clean water Indiana program and the clean water Indiana fund, both of which are administered by the division of soil conservation of the department of natural resources, subject to the direction of the soil conservation board. Describes educational, technical assistance, training, and cost sharing programs supported by the program and the fund to help land occupiers and conservation programs reduce nonpoint sources of water pollution. Provides matching grants to districts for certain purposes and provides assistance to increase state technical and capacity building assistance to districts and local conservation efforts. Requires the districts and the division of soil conservation to coordinate to

compile an annual report to submit to the executive director of the legislative services agency concerning the program and the fund. (78)

SB 626

Author(s): Weatherwax; Wolf

Sponsor(s): Bauer; Smith M

Citations Affected: Noncode.

Effective: July 1, 1999.

Property tax levy appeal for transfer tuition. Provides that the state board of tax commissioners shall allow Union Township School Corporation in Fulton County to increase the school corporation's maximum property tax levy in 2000, 2001, and 2002 to pay for certain transfer tuition costs. Provides, for purposes of calculating state tuition support and general fund property tax levies, a one-time adjustment to the "previous year revenue" of a school corporation participating in the annexation of the Union Township School Corporation. (73)

SB 634

Author(s): Clark; Wheeler

Sponsor(s): Moses; Alderman

Citations Affected: IC 13-18-3-13; noncode.

Effective: Upon passage.

Storm water runoff and construction activity. Provides that if a violation of the administrative rules concerning storm water runoff associated with construction activity occurs, the department of environmental management must determine which person is responsible for committing the violation. Requires the department in making this determination to consider: (1) public records of ownership; (2) building permits issued by local units of government; or (3) other relevant information. Provides that the department's determination to proceed against a person responsible for committing a violation must be based on the specific facts and circumstances related to a particular violation.

Enactments - 1999

Requires the water pollution control board to amend the administrative rules concerning storm water runoff associated with construction activity to reflect these changes before February 1, 2000. (69)

SB 662

**Author(s): Wolf; Nugent; Ford; Alting;
Hume; Young R; Lewis; Waterman;
Weatherwax; Lawson C; Harrison**

Sponsor(s): Lytle; Ripley

Citations Affected: IC 15-7; noncode.

Effective: July 1, 1999.

Land resources council. Establishes the Indiana land resources council to provide information, educational and technical assistance, and advice to governmental units regarding land use strategies and issues across the state. Provides for appointment and compensation of council members. (98)

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HB 1223 Electric and telephone cooperatives.

SB 0177 IURC enforcement authority and rural telephone cooperative corporations.

UTILITY REGULATORY COMMISSION

HB 1628 IURC enforcement authority.

SB 0177 IURC enforcement authority and rural telephone cooperative corporations.

SB 0584 Utility regulatory commission jurisdiction and home energy assistance.

VETERANS

HB 1073 Tuition exemptions for relatives of certain veterans.

SB 0150 Property tax deductions for disabled veterans.

SB 0450 Grave markers for veterans.

VICTIMS OF CRIME

HB 1747 Domestic violence, firearms and delinquency.

SB 0044 Victim rights.

VIGO COUNTY

HB 1164 Vigo County inkeepers' tax.

VOLUNTEERS

HB 1446 Criminal history checks for school volunteers.

WATER generally

HB 1521 Designation of water fees.

SB 0083 Groundwater quality and stormwater runoff from developed real property.

SB 0584 Utility regulatory commission jurisdiction and home energy assistance.

SB 0634 Storm water runoff and construction activity.

WATER, Availability and Quality of Drinking Water

HB 1687 Public water systems and water supply systems.

SB 0551 Drinking water and wastewater loans.

SB 0625 Conservation district clean water program.

WATER, Pollution

SB 0063 National Pollutant Discharge Elimination System (NPDES) permit.

SB 0343 Water pollution control.

SB 0551 Drinking water and wastewater loans.

WATERSHED

SB 0083 Groundwater quality and stormwater runoff from developed real property.

WEAPONS

- HB 1747** **Domestic violence, firearms and delinquency.**
- HB 1865** **Criminal history checks for handguns.**
- SB 0165** **Serious violent felons and firearms.**

WEIGHTS AND MEASURES

- HB 1106** **Fees for weights and measures.**

WELFARE, Medicaid

- HB 1396** **Mental health.**
- SB 0125** **Traumatic brain injury waiver.**
- SB 0133** **Medicaid physician services and liens.**
- SB 0259** **Reimbursement of certain health centers.**

WORK TRAINING PROGRAMS

- HB 2085** **Workforce development and worker's compensation.**

WRONGFUL DEATH

- HB 1147** **Wrongful death.**

YOUTHS, Programs and Organizations

- HB 1576** **Children and youth.**

ZONING AND PLANNING

- HB 1155** **Local government matters.**
- HB 1983** **Enterprise zones; annexation.**
- HB 1608** **Annexation.**